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March 27, 2015

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VIA FEDERAL EXPRESS

Margaret Herring, Civil Investigator
U.S. Environmental Protection Agency, Region 5
Superfund Division
Enforcement and Compliance Assurance Branch (SE-5J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

Re: The Dayton Power and Light Company's Response to U.S. EPA's Request for Information for The South Dayton Dump & Landfill Site in Moraine, Ohio

Dear Ms. Herring:

On behalf of my client, The Dayton Power and Light Company ("DP&L"), I hereby respond to the United States Environmental Protection Agency's ("U.S. EPA") January 16, 2015 Request for Information ("Information Request") for the South Dayton Dump & Landfill Site in Moraine, Ohio ("SDDL" or "Site"). On February 13, 2015 and March 19, 2015, DP&L requested and received an extension of time in which to respond to the Information Request.

On July 18, 2002, U.S. EPA issued a similar Request for Information for the South Dayton Dump, and DP&L responded to same on September 11, 2002 ("2002 104(e) Response"). On December 10, 2002, U.S. EPA issued a request for additional information for the South Dayton Dump, and DP&L responded to same on January 17, 2003 ("2003 104(e) Response"). Finally, on January 31, 2003, U.S. EPA issued a second request for additional information for the South Dayton Dump, and DP&L responded to same on February 20, 2003 ("Second 2003 104(e) Response").

DP&L has conducted an investigation in response to U.S. EPA's most recent Information Request. Similar to previous investigations, DP&L's most recent investigation does not indicate that DP&L disposed of any hazardous substances at the Site.

DP&L objects to the Information Request and its instructions and definitions as being overly broad, burdensome, vague, ambiguous, and beyond the scope of CERCLA § 104(e)(2)(A-C). DP&L also objects to the Information Request to the extent it seeks information that is protected by the attorney-client privilege or attorney work-product doctrine. DP&L specifically denies any liability and/or wrongdoing that may be alleged as a result of the Site investigation.

Bricker & Eckler

Margaret Herring, Civil Investigator March 27, 2015 Page 2

Subject to DP&L's objections, denial of liability and reservation of rights, DP&L provides the following attached responses to the best of its ability and based on information that DP&L possesses at this time: 1) answers to question numbers 1 through 23 of U.S. EPA's Information Request (Attachment A); and 2) documents contained in Exhibits A-D (Attachment B). To the extent any of DP&L's previous responses to U.S. EPA's information requests for this Site are applicable, DP&L hereby incorporates by reference its 2002 104(e) Response, 2003 104 (e) Response and Second 2003 104(e) Response. DP&L reserves the right to subsequently supplement this response as DP&L obtains or becomes aware of additional relevant information.

Finally, DP&L objects to U.S. EPA's Information Request to the extent it requires that the response be certified "by the individual who prepared the response or the responsible corporate official acting on behalf of the corporation". DP&L is unaware of any requirement under CERCLA or otherwise that imposes such a duty. The matters that are the subject of the Information Request, and DP&L's response, are not within the personal knowledge of the undersigned nor is there any official of DP&L or other individual who has personal knowledge of all such matters. This letter and attachments constitute the corporate response of DP&L to the Information Request and is based upon information obtained by and from employees and counsel for DP&L. The undersigned is authorized to and has signed the response as counsel for DP&L.

DP&L's responses contained in Attachment A reflect U.S. EPA's agreement to limit the scope of the Information Request to the time period from 1941 to 1996 and the limit of the geographical scope to facilities within a fifty (50)-mile radius of the Site. Because the Information Request goes beyond U.S. EPA's authority under section 104(e) of CERCLA, DP&L's responses in Attachment A are limited to information that relates to the Site and/or has some nexus to the Site.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

rank L/Merrill

cc: Judi L. Sobecki, Esq. (w/encl./via email)

David Heger (w/encl./via email)

Scott Arentsen (w/encl./via email)

Joanne Rau (w/encl./via email)

Drew Campbell, Esq. (w/encl./via email)

ATTACHMENT A

The Dayton Power and Light Company's Response to U.S. EPA's Information Request for the South Dayton Dump Site

Question 1. Identify all persons consulted in the preparation of the answers to these questions.

Response:

JoAnne C. Rau
Director, Environment and Safety Management
The Dayton Power and Light Company
1065 Woodman Drive
Dayton, OH 45432
(937) 259-7376
joanne.rau@aes.com

Scott Arentsen
Environmental Specialist
The Dayton Power and Light Company
1065 Woodman Drive
Dayton, OH 45432
(937) 259-7375
scott.arentsen@aes.com

Question 2. Identify all documents consulted, examined or referred to in the preparation of the answers to these questions, and provide copies of all such documents.

Response:

The Dayton Power and Light Company ("DP&L") consulted, examined and reviewed numerous documents in the preparation of the responses to these questions. However, the majority of the material proved to be irrelevant and showed no connection between DP&L and the South Dayton Dump Site ("Site"). All relevant documents have been attached in Attachment B or have been previously provided to U.S. EPA in DP&L's 2002 104(e) Response, 2003 104(e) Response and/or Second 2003 104(e) Response.

Question 3. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question or who may be able to provide additional responsive documents, identify such persons. Provide their current, or last known, address, telephone numbers, and e-mail address.

Response:

After reasonable due diligence and investigation, DP&L has no reason to believe that there may be persons, other than disclosed in Response to Question 1, able to provide a more detailed or complete response to any question in the Information Request.

Question 4. Provide names, addresses, telephone numbers, and e-mail addresses of any individuals, including former and current employees, who may be knowledgeable about Respondent's operations and hazardous substances handling, storage and disposal practices.

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

Scott Arentsen
Environmental Specialist
The Dayton Power and Light Company
1065 Woodman Drive
Dayton, OH 45432
(937) 259-7375
scott.arentsen@aes.com

JoAnne C. Rau
Director, Environment and Safety Management
The Dayton Power and Light Company
1065 Woodman Drive
Dayton, OH 45432
(937) 259-7376
joanne.rau@aes.com

Georgene Dawson
Manager, Operations
The Dayton Power and Light Company
1900 Dryden Road
Dayton, OH 45439
(937) 331-4938
georgene.dawson@aes.com

Amy Wright (former DP&L employee) NON-RESPONSIVE

Question 5. State the date(s) on which the Respondent sent, brought or moved drums and/or hazardous substances to the South Dayton Dump and Landfill (SDDL) Site and the names, addresses, telephone numbers, and e-mail addresses of the person(s) making arrangements for the drums and/or hazardous substances to be sent, brought or moved to the SDDL Site.

None; DP&L has not discovered any evidence or indication of any hazardous substances generated by DP&L having been sent to the Site.

Question 6. Did Respondent haul or send materials to SDDL in vehicles it owned, leased or operated? If yes, during what time periods did this occur? If no, how did Respondent transport materials to SDDL? Identify the hauler(s) and provide the addresses, telephone numbers, and email addresses of these entities.

Response:

Yes. DP&L used the Site to dispose of non-hazardous materials, including office waste, dirt, street spoil, construction debris, etc., from 1952 to 1977. DP&L also disposed of non-hazardous fly ash and cinders at the SDDL. These non-hazardous materials were transported to SDDL in trucks owned and operated by DP&L.

PERMITS/REGISTRATIONS

Question 7. List all federal, state and local permits and/or registrations and their respective permit numbers issued to Respondent for the transport and/or disposal of materials.

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

None.

Question 8. Which shipments or arrangements were sent under each permit? If what happened to the hazardous substances differed from what was specified in the permit, please state, to the best of your knowledge, the basis or reasons for such difference.

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

Not applicable.

Question 9: Were all hazardous substances transported by licensed carriers to hazardous waste Treatment Storage and Disposal Facilities permitted by the U.S. EPA?

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

Yes, but as for the SDDL, DP&L has not discovered any evidence or indication of any hazardous substances generated by DP&L having been sent to the Site.

Question 10. List all federal, state and local permits and/or registrations and their respective permit numbers issued for the transport and/or disposal of wastes.

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

Unknown to DP&L because such permits and/or registrations were issued to entities other than DP&L, but as for the SDDL, DP&L has not discovered any evidence or indication of any hazardous substances generated by DP&L having been sent to the Site.

Question 11. Does your company or business have a permit or permits issued under Resource Conservation and Recovery Act? Does it have or has it ever had a permit or permits under the hazardous substance laws of the State of Ohio? Does your company or business have an EPA Identification Number, or an identification number supplied by the State Environmental Protection Agency? Supply any such identification number(s) your company or business has.

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

DP&L has no permits issued under RCRA and has never had a permit issued under the hazardous waste laws of the State of Ohio, which does not issue permits under any hazardous "substance" laws of the State of Ohio.

Below is a list of DP&L's present EPA Identification Numbers:

OHD180025637 (Eaton Service Center)
OHD987033024 (Greenville Service Center)
OHD180025777 (Huber Heights Service Center)
OHD987023280 (Miamisburg Service Center)
OHD982617003 (North Dayton Service Center)
OHD180025660 (Research Park Service Center)
OHD000721282 (Sidney Service Center)

OHD000817015 (Broadway Service Center) OHD000721316 (Urbana Service Center) OHD000721209 (Xenia Service Center)

OHD000721225 (Hutchings)

OHD000817452 (Longworth Steam Station) OHD000817502 (Third Street Steam Station) OHD000817437 (Steam Distribution)

OHT400010096 (Monument Substation) OHD000817460 (Yankee Street Diesel Plant)

Question 12. Identify whether Respondent ever filed a Notification of Hazardous Waste Activity with the EPA or the corresponding agency or official of the State of Ohio, the date of such filing, the wastes described in such notice, the quantity thereof described in such notice, and the identification number assigned to such facility by EPA or the state agency or official.

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

Yes, see documents attached in Exhibit A of Attachment B.

RESPONDENT'S DISPOSAL/TREATMENT/STORAGE/RECYCLING/SALE OF WASTE (INCLUDING BY-PRODUCTS)

Question 13. Identify all individuals who currently have and those who have had responsibility for Respondent's environmental matters (e.g. responsibility for the disposal, treatment, storage, recycling, or sale of Respondent's wastes). Also provide each individual's job title, duties, dates performing those duties, supervisors for those duties, current position or the date of the individual's resignation, and the nature of the information possessed by such individuals concerning Respondent's waste management. For each individual identified in response to this question provide the current or most recent known address, telephone number and email address.

Response:

See Response to Question No. 4.

Question 14. Describe the containers used to take any type of waste from Respondent's operation, including but not limited to:

a. the type of container (e.g. 55 gal. drum, dumpster, etc.);

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

As for the SDDL, DP&L used the Site to dispose of non-hazardous materials, including office waste, dirt, street spoil, construction debris, cinders, fly ash, etc. These non-hazardous materials were transported to SDDL in trucks owned and operated by DP&L.

b. the colors of the containers;

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

Not applicable with respect to the SDDL.

c. any distinctive stripes or other markings on those containers;

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

Not applicable with respect to the SDDL.

d. any labels or writing on those containers (including the content of those labels);

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

Not applicable with respect to the SDDL.

e. whether those containers were new or used; and

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

Not applicable with respect to the SDDL.

f. if those containers were used, a description of the prior use of the containers.

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

Not applicable with respect to the SDDL.

Question 15. For any type of waste describe Respondent's contracts, agreements, or other arrangements for its disposal, treatment, or recycling. Provide copies of all documents relating to the transportation or disposal of said waste, including correspondence and manifests. Include all correspondence and records of communication between Respondent and Cyril Grillot, Kenneth Grillot, Alcine Grillot, or Horace Boesch, Sr.

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

As for the SDDL, see documents attached in Exhibit B of Attachment B.

Question 16. Provide copies of such contracts and other documents reflecting such agreements or arrangements.

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

As for the SDDL, see documents attached in Exhibit B of Attachment B.

a. State where Respondent sent each type of its waste for disposal, treatment, or recycling.

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

DP&L has not discovered any evidence or indication of any hazardous substances generated by DP&L having been sent to the Site. DP&L used the Site to dispose of non-hazardous materials, including office waste, dirt, street spoil, construction debris, cinders, fly ash, etc. These non-hazardous materials were transported to SD DL in trucks owned and operated by DP&L.

b. Identify all entities and individuals who picked up waste from Respondent or who otherwise transported the waste away from Respondent's operations (these companies and individuals shall be called "Waste Carriers" for purposes of this Information Request).

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

DP&L has not discovered any evidence or indication of any hazardous substances generated by DP&L having been sent to the Site. DP&L used the Site to dispose of non-hazardous materials, including office waste, dirt, street spoil, construction debris, cinders, fly ash, etc. These non-hazardous materials were transported to SDDL in trucks owned and operated by DP&L.

c. If Respondent transported any of its wastes away from its operations, please so indicate and answer all questions related to "Waste Carriers" with reference to Respondent's actions.

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

DP&L has not discovered any evidence or indication of any hazardous substances generated by DP&L having been sent to the Site. DP&L used the Site to dispose of non-hazardous materials, including office waste, dirt, street spoil, construction debris, cinders, fly ash, etc. These non-hazardous materials were transported to SDDL in trucks owned and operated by DP&L.

d. For each type of waste specify which Waste Carrier picked it up.

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

DP&L has not discovered any evidence or indication of any hazardous substances generated by DP&L having been sent to the Site. DP&L used the Site to dispose of non-hazardous materials, including office waste, dirt, street spoil, construction debris, cinders, fly ash, etc. These non-hazardous materials were transported to SDDL in trucks owned and operated by DP&L.

e. For each type of waste, state how frequently each Waste Carrier picked up such waste.

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

DP&L has not discovered any evidence or indication of any hazardous substances generated by DP&L having been sent to the Site. DP&L used the Site to dispose of non-hazardous materials, including office waste, dirt, street spoil, construction debris, cinders, fly ash, etc. These non-hazardous materials were transported to SDDL in trucks owned and operated by DP&L.

f. For each type of waste state the volume picked up by each Waste Carrier (per week, month, or year).

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

DP&L has not discovered any evidence or indication of any hazardous substances generated by DP&L having been sent to the Site. DP&L used the Site to dispose of non-hazardous materials, including office waste, dirt, street spoil, construction debris, cinders, fly ash, etc. These non-hazardous materials were transported to SDDL in trucks owned and operated by DP&L.

g. For each type of waste state the dates (beginning & ending) such waste was picked up by each Waste Carrier.

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

DP&L has not discovered any evidence or indication of any hazardous substances generated by DP&L having been sent to the Site. DP&L used the Site to dispose of non-hazardous materials, including office waste, dirt, street spoil, construction debris, cinders, fly ash, etc. These non-hazardous materials were transported to SDDL in trucks owned and operated by DP&L.

h. Provide copies of all documents containing information responsive to the previous seven questions.

Response:

After a diligent search for responsive documents, DP&L has not identified any documents responsive to this request, as it relates to the SDDL.

- i. Describe the vehicles used by each Waste Carrier to haul away each type of waste including but not limited to:
 - i. the type of vehicle (e.g., flatbed truck, tanker truck, containerized dumpster truck, etc.);

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

DP&L has not discovered any evidence or indication of any hazardous substances generated by DP&L having been sent to the Site. DP&L used the Site to dispose of non-hazardous materials, including office waste, dirt, street spoil, construction debris, cinders, fly ash, etc. These non-hazardous materials were transported to SDDL in trucks owned and operated by DP&L.

ii. names or markings on the vehicles; and

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

DP&L has not discovered any evidence or indication of any hazardous substances generated by DP&L having been sent to the Site. DP&L used the Site to dispose of non-hazardous materials, including office waste, dirt, street spoil, construction debris, cinders, fly ash, etc. These non-hazardous materials were transported to SDDL in trucks owned and operated by DP&L.

iii. the color of such vehicles.

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

DP&L has not discovered any evidence or indication of any hazardous substances generated by DP&L having been sent to the Site. DP&L used the Site to dispose of non-hazardous materials, including office waste, dirt, street spoil, construction debris, cinders, fly ash, etc. These non-hazardous materials were transported to SDDL in trucks owned and operated by DP&L.

j. Identify all of each Waste Carrier's employees who collected Respondent's wastes.

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

DP&L has not discovered any evidence or indication of any hazardous substances generated by DP&L having been sent to the Site. DP&L used the Site to dispose of non-hazardous materials, including office waste, dirt, street spoil, construction debris, cinders, fly ash, etc. These non-hazardous materials were transported to SDDL in trucks owned and operated by DP&L.

k. Indicate the ultimate disposal/recycling/treatment location for each type of waste.

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly burdensome and broad and

is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

DP&L has not discovered any evidence or indication of any hazardous substances generated by DP&L having been sent to the Site. DP&L used the Site to dispose of non-hazardous materials, including office waste, dirt, street spoil, construction debris, cinders, fly ash, etc. These non-hazardous materials were transported to SDDL in trucks owned and operated by DP&L.

1. Provide all documents indicating the ultimate disposal/recycling/treatment location for each type of waste.

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

DP&L has not discovered any evidence or indication of any hazardous substances generated by DP&L having been sent to the Site. DP&L used the Site to dispose of non-hazardous materials, including office waste dirt, street spoil, construction debris, cinders, fly ash, etc. These non-hazardous materials were transported to SDDL in trucks owned and operated by DP&L.

- m. Describe how Respondent managed pickups of each waste, including but not limited to:
 - i. the method for inventorying each type of waste;

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

DP&L has not discovered any evidence or indication of any hazardous substances generated by DP&L having been sent to the Site. DP&L used the Site to dispose of non-hazardous materials, including office waste, dirt, street spoil, construction debris, cinders, fly ash, etc. These non-hazardous materials were transported to SDDL in trucks owned and operated by DP&L.

ii. the method for requesting each type of waste to be picked up;

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

DP&L has not discovered any evidence or indication of any hazardous substances generated by DP&L having been sent to the Site. DP&L used the Site to dispose of non-hazardous materials, including office waste, dirt, street spoil, construction debris, cinders, fly ash, etc. These non-hazardous materials were transported to SDDL in trucks owned and operated by DP&L.

iii. the identity of (see Definitions) the waste carrier employee/agent contacted for pickup of each type of waste;

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

DP&L has not discovered any evidence or indication of any hazardous substances generated by DP&L having been sent to the Site. DP&L used the Site to dispose of non-hazardous materials, including office waste, dirt, street spoil, construction debris, cinders, fly ash, etc. These non-hazardous materials were transported to SDDL in trucks owned and operated by DP&L.

iv. the amount paid or the rate paid for the pickup of each type of waste;

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

DP&L has not discovered any evidence or indication of any hazardous substances generated by DP&L having been sent to the Site. DP&L used the Site to dispose of non-hazardous materials, including office waste, dirt, street spoil, construction debris, cinders, fly ash, etc. These non-hazardous materials were transported to SDDL in trucks owned and operated by DP&L.

v. the identity of (see Definitions) Respondent's employee who paid the bills; and

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

DP&L has not discovered any evidence or indication of any hazardous substances generated by DP&L having been sent to the Site. DP&L used the Site to dispose of non-hazardous materials, including office waste, dirt, street spoil, construction debris, cinders, fly ash, etc. These non-hazardous materials were transported to SDDL in trucks owned and operated by DP&L.

vi. the identity of (see Definitions) the individual (name or title) and company to whom Respondent sent the payment for pickup of each type of waste.

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

DP&L has not discovered any evidence or indication of any hazardous substances generated by DP&L having been sent to the Site. DP&L used the Site to dispose of non-hazardous materials, including office waste, dirt, street spoil, construction debris, cinders, fly ash, etc. These non-hazardous materials were transported to SDDL in trucks owned and operated by DP&L.

n. Identify the individual or organization (i.e., the Respondent, the Waste Carrier, or, if neither, identify such other person) who selected the location where each of the Respondent's wastes were taken.

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

DP&L has not discovered any evidence or indication of any hazardous substances generated by DP&L having been sent to the Site. DP&L used the Site to dispose of non-hazardous materials, including office waste, dirt, street spoil, construction debris, cinders, fly ash, etc. These non-hazardous materials were transported to SDDL in trucks owned and operated by DP&L.

o. State the basis for and provide any documents supporting the answer to the previous question.

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

DP&L has not discovered any evidence or indication of any hazardous substances generated by DP&L having been sent to the Site. DP&L used the Site to dispose of non-hazardous materials, including office waste, dirt, street spoil, construction debris, cinders, fly ash, etc. These non-hazardous materials were transported to SDDL in trucks owned and operated by DP&L.

- p. Describe all wastes disposed by Respondent into Respondent's drains including but not limited to:
 - i. the nature and chemical composition of each type of waste;

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waiving these objections, DP&L responds as follows:

At DP&L's Service Center, located at 1900 Dryden Road, Dayton, Ohio, sanitary wastewater is discharged to the drains at that facility. These drains are connected to the City of Dayton's sanitary sewer system.

Trench drains are located inside the Transportation Building located at DP&L's Service Center. Liquids and sediments from the floor of the Transportation Building enter these trench drains, which are connected to an underground containment sump. The containment sump is pumped as needed, and any liquid or sediment removed from the containment sump is transported offsite for proper disposal.

ii. the dates on which those wastes were disposed;

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waiving these objections, DP&L responds as follows:

At DP&L's Service Center, located at 1900 Dryden Road, Dayton, Ohio, sanitary wastewater is discharged to the drains at that facility. These drains are connected

to the City of Dayton's sanitary sewer system. Sanitary wastewater is discharged daily to these drains.

Trench drains are located inside the Transportation Building located at DP&L's Service Center. Liquids and sediments from the floor of the Transportation Building enter these trench drains, which are connected to an underground containment sump. The containment sump is pumped as needed, and any liquid or sediment removed from the containment sump is transported offsite for proper disposal.

iii. the approximate quantity of those wastes disposed by month and year;

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waiving these objections, DP&L responds as follows:

At DP&L's Service Center, located at 1900 Dryden Road, Dayton, Ohio, sanitary wastewater is discharged to the drains at that facility. These drains are connected to the City of Dayton's sanitary sewer system. Approximate quantity of the sanitary wastewater is unknown and not relevant to the SDDL.

Trench drains are located inside the Transportation Building located at DP&L's Service Center. Liquids and sediments from the floor of the Transportation Building enter these trench drains, which are connected to an underground containment sump. The containment sump is pumped as needed, and any liquid or sediment removed from the containment sump is transported offsite for proper disposal.

iv. the location to which these wastes drained (e.g. on-site septic system, on-site storage tank, pre- treatment plant, Publicly Owned Treatment Works (POTW), etc.); and

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waiving these objections, DP&L responds as follows:

At DP&L's Service Center, located at 1900 Dryden Road, Dayton, Ohio, sanitary wastewater is discharged to the drains at that facility. These drains are connected to the City of Dayton's sanitary sewer system.

Trench drains are located inside the Transportation Building located at DP&L's Service Center. Liquids and sediments from the floor of the Transportation Building enter these trench drains, which are connected to an underground containment sump. The containment sump is pumped as needed, and any liquid or sediment removed from the containment sump is transported offsite for proper disposal.

v. whether and what pretreatment was provided.

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waiving these objections, DP&L responds as follows:

At DP&L's Service Center, located at 1900 Dryden Road, Dayton, Ohio, sanitary wastewater is discharged to the drains at that facility. These drains are connected to the City of Dayton's sanitary sewer system. The sanitary wastewater is not pretreated prior to discharge.

Trench drains are located inside the Transportation Building located at DP&L's Service Center. Liquids and sediments from the floor of the Transportation Building enter these trench drains, which are connected to an underground containment sump. The containment sump is pumped as needed, and any liquid or sediment removed from the containment sump is transported offsite for proper disposal.

q. Identify any sewage authority or treatment works to which Respondent's waste was sent.

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

At DP&L's Service Center, located at 1900 Dryden Road, Dayton, Ohio, sanitary wastewater is discharged to the drains at that facility. These drains are connected to the City of Dayton's sanitary sewer system, which is connected to the City of Dayton's wastewater treatment plant.

r. If not already provided, specify the dates and circumstances when Respondent's waste was taken to the SDDL Site, and identify the companies or individuals who brought Respondent's waste to the Site. Provide all documents which support or

memorialize your response.

Response:

DP&L used the Site to dispose of non-hazardous materials, including office waste, dirt, street spoil, construction debris, cinders, fly ash, etc. These non-hazardous materials were transported to SDDL in trucks owned and operated by DP&L. See also DP&L's 2002 104(e) Response, 2003 104(e) Response, and Second 2003 104(e) Response, and documents attached in Exhibit B of Attachment B. See also transcript of deposition of Charles Fields (current employee of DP&L), dated May 21, 2014, attached as Exhibit C in Attachment B, and transcript of deposition of John L. Davis (former employee of DP&L), dated September 12, 2013, attached as Exhibit D in Attachment B.

RESPONDENT'S ENVIRONMENTAL REPORTING:

Question 17. Provide all Resource Conservation and Recovery Act (RCRA) Identification Numbers issued to Respondent by EPA or a state for Respondent's operations.

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

See Response to Question No. 11.

Question 18. Identify (see Definitions) all federal offices to which Respondent has sent or filed information about hazardous substance or hazardous waste.

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

U.S. EPA

Question 19. State the years during which such information was sent/filed.

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly burdensome and broad and is beyond the permissible scope of CERCLA § 104(e)(2).

Question 20. Identify (see Definitions) all state offices to which Respondent has sent or filed hazardous substance or hazardous waste information.

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly broad, unduly burdensome, and is beyond the permissible scope of CERCLA § 104(e)(2). Subject to and without waving these objections, DP&L responds as follows:

Ohio EPA

Question 21. State the years during which such information was sent/filed.

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly burdensome and broad and is beyond the permissible scope of CERCLA § 104(e)(2).

Question 22. List all federal and state environmental laws and regulations under which Respondent has reported to federal or state governments, including but not limited to: Toxic Substances Control Act, 15 U.S.C. Sections 2601 et seq., (TSCA); Emergency Planning and Community Right-to-Know Act, 42 U.S.C. Sections 1101 et seq., (EPCRA); and the Clean Water Act (the Water Pollution Prevention and Control Act), 33 U.S.C. Sections 1251 et seq.; Solid Waste and Infectious Waste Regulations, OAC 3745-27 (former rule EP-20); Licenses for Solid Waste, Infectious Waste Treatment, or Construction and Demolition Debris Facilities, OAC 3745-37 (former rule EP-33); Solid and Hazardous Wastes, ORC 3734-01 through 3734-11; Open Burning Standards, OAC 3745-19-03.

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly burdensome and broad and is beyond the permissible scope of CERCLA § 104(e)(2).

Question 23. Identify the federal and state offices to which such information was sent.

Response:

DP&L objects to this request for information to the extent it requests information not related to the SDDL, on the bases that it is irrelevant, overly burdensome and broad and is beyond the permissible scope of CERCLA § 104(e)(2).

ATTACHMENT B

Documents in support of The Dayton Power and Light Company's Response to U.S. EPA's Information Request for the South Dayton

Dump Site

EXHIBIT A

Notification of Hazardous Waste Activity forms in Response to Question No. 12

THE DAYTON POWER AND LIGHT COMPANY



August 14, 1980

CERTIFIED MAIL

EPA Region V RCRA Activities P.O. Box 7861 Chicago, Illinois 60680 sout from ONN

Dear Sir:

Enclosed are completed 3010 Notification forms for two (2) facilities owned and operated by The Dayton Power and Light Company. These notifications are being submitted in accordance with Section 3010 of the Resource Conservation and Recovery Act (RCRA) 42 USC. 6930 in order to assure interim status for the facilities in the event hazardous waste activity is conducted at these sites after November 19, 1980.

The Company will be submitting Part A applications for RCRA permits for those sites identified as having hazardous waste storage, treatment or disposal facilities by November 19, 1980.

Sincerely,

Georgene A. Hall

Environmental Specialist

Georgene G. Hall

/ms

Attachments

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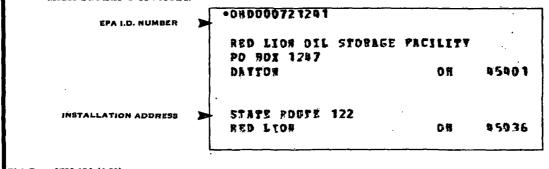
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ACKNOWLEDGEMENT OF NOTIFICATION OF HAZARDOUS WASTE ACTIVITY

This is to acknowledge that you have filed a Notification of Hazardous Waste Activity for the installation located at the address shown in the box below to comply with Section 3010 of the Resource Conservation and Recovery Act (RCRA). Your EPA Identification Number for that installation appears in the box below. The EPA Identification Number must be included on all shipping manifests for transporting hazardous wastes; on all Annual Reports that generators of hazardous waste, and owners and operators of hazardous waste treatment, storage and disposal facilities must file with EPA; on all applications for a Federal Hazardous Waste Permit; and other hazardous waste management reports and documents required under Subtitle C of RCRA.

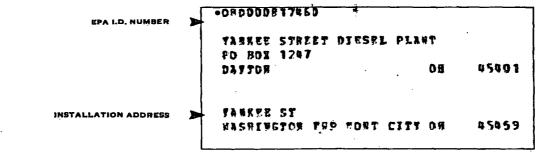




EPA Form 8700-12A (4-80)

ACKNOWLEDGEMENT OF NOTIF ATION OF HAZARDOUS WASTE ACTIVITY

This is to acknowledge that you have filed a Notification of Hazardous Waste Activity for the installation located at the address shown in the box below to comply with Section 3010 of the Resource Conservation and Recovery Act (RCRA). Your EPA Identification Number for that installation appears in the box below. The EPA Identification Number must be included on all shipping manifests for transporting hazardous wastes; on all Annual Reports that generators of hazardous waste, and owners and operators of hazardous waste treatment, storage and disposal facilities must file with EPA; on all applications for a Federal Hazardous Waste Permit; and other hazardous waste management reports and documents required under Subtitle C of RCRA.



THE D... TON POWER AND LIGHT COMPANY

Liki, Wash,-Itazarous-Usera

August 12, 1980

CERTIFIED MAIL #4-534

EPA Region V RCRA Activities P.O. Box 7861 Chicago, Ill. 60680

Gentlemen:

Enclosed is a completed 3010 notification form for a facility owned and operated by The Dayton Power and Light Company. This form should be placed with the other 3010 forms which were previously submitted by DP&L. With the addition of this form, the total number of submitted forms by DP&L is now 25.

Sincerely,

Theodore A. Boggs Environmental Specialist

/ms

Attachment

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I certify under penalty of law that I have personally examined and am familiar with the information submitted in the attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the info I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties mitting false information, including the possibility of fine and imprisonment.	rmation
SIGNATURE NAME & OFFICIAL TITLE (type or print) DATE SIGN ERA E	£0

LD. - FOR OFFICIAL USE ONLY



EPA Form 8700-12A (4-80)

ACKNOWLEDGEMENT OF NOTIFICATION OF HAZARDOUS WASTE ACTIVITY

This is to acknowledge that you have filed a Notification of Hazardous Waste Activity for the installation located at the address shown in the box below to comply with Section 3010 of the Resource Conservation and Recovery Act (RCRA). Your EPA Identification Number for that installation appears in the box below. The EPA Identification Number must be included on all shipping manifests for transporting hazardous wastes; on all Annual Reports that generators of hazardous waste, and owners and operators of hazardous waste treatment, storage and disposal facilities must file with EPA; on all applications for a Federal Hazardous Waste Permit; and other hazardous waste management reports and documents required under Subtitle C of RCRA.



THE DATTON POWER AND LIGHT CUMPANY



August 11, 1980

CERTIFIED MAIL

EPA Region V RCRA Activities P.O. Box 7861 Chicago, Illinois 60680

Dear Sir:

Enclosed are completed 3010 Notification forms for twenty four (24) facilities owned and operated by The Dayton Power and Light Company. These notifications are being submitted in accordance with Section 3010 of the Resource Conservation and Recovery Act (RCRA) 42 U.S.C. 6930 in order to assure interim status for the facilities in the event hazardous waste activity is conducted at these sites after November 19, 1980.

The Company will be submitting Part A applications for RCRA permits for those sites identified as having hazardous waste storage, treatment or disposal facilities by November 19, 1980.

Sincerely,

Georgene A. Hall Environmental Specialist

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Attachments

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I certify under penalty of law that I have personally examined and am familiar with attached documents, and that based on my inquiry of those individuals immediately I believe that the submitted information is true, accurate, and complete. I am aware mitting false information, including the possibility of fine and imprisonment.	responsible for obtaining the information.
SIGNATURE NAME & OFFICIAL TITLE (lype or s	rial) DATE SIGNED

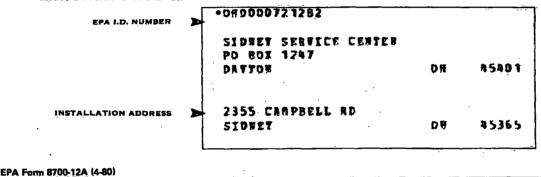
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A. NAME OF INSTALLATION'S LEGAL OWNER
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A. GENERATION SB. TRANSPORTATION (complete item VII)
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C. TREAT/STORE/DISPOSE D. UNDERGROUND INJECTION
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VII. MODE OF TRANSPORTATION (transporters only - enter "X" in the appropriate box(es)) A. AIR DB. RAIL DC. HIGHWAY DD. WATER DE. OTHER (specify): VIII. FIRST OR SUBSEQUENT NOTIFICATION Alsk "X" in the appropriate box to indicate whether this is your installation's first notification of hazardous waste activity or a subsequent notification.
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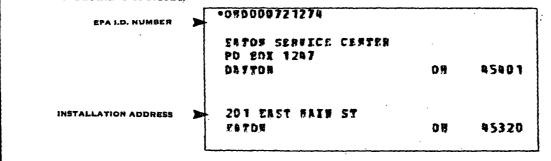


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IX. DESCRIPTION OF HAZARDOUS WASTES (cont	inued from front)	200 E	
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SIGNATURE	NAME & OFFICIAL TITLE (type of pr	int)	DATE SIGNED



This is to acknowledge that you have filed a Notification of Hazardous Waste Activity for the installation located at the address shown in the box below to comply with Section 3010 of the Resource Conservation and Recovery Act (RCRA). Your EPA Identification Number for that installation appears in the box below. The EPA Identification Number must be included on all shipping manifests for transporting hazardous wastes; on all Annual Reports that generators of hazardous waste, and owners and operators of hazardous waste treatment, storage and disposal facilities must file with EPA; on all applications for a Federal Hazardous Waste Permit; and other hazardous waste management reports and documents required under Subtitle C of RCRA.



EPA Form 8700-12A (4-80)

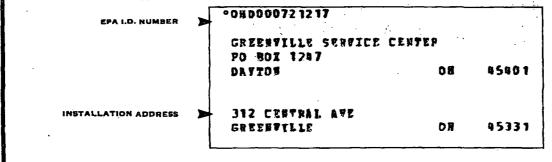
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IX. DESCRIPTION OF HAZARDOUS WASTES (continued from front)	the second section was
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B. HAZAROUS WASTES FROM SPECIFIC SOURCES. Enter the four—digit number from 40 specific industrial sources your installation handles. Use additional sheets if necessary.	CFR Part 261,32 for each listed hazardous waste from
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E. CHARACTERISTICS OF NON-LISTED HAZARDOUS WASTES. Mark "X" in the boxes of hazardous wastes your installation handles. (See 40 CFR Parts 261.21 – 261.24.)	prresponding to the characteristics of non-listed
	with the information submitted in this and all ely responsible for obtaining the information.
SIGNATURE A OFFICIAL TITLE (type	or print) DATE SIGNED



EPA Form 8700-12A (4-80)

ACKNOWLEDGEMENT OF NOTIFICATION OF HAZARDOUS WASTE ACTIVITY



JUN 180, VERU LIMIUI ENTAL PROTECTION AGENCY U.S. ENVING NOTIFICATION O. **HAZARDOUS WASTE ACTIVITY** in. (RUCTIONS: If you received a preprinted label, affix it in the space of left. If any of the Information on the label is incorrect, draw a line INSTALLA-TION'S EPA I.D. NO. through it and supply the correct information In the appropriate section below, if the label is I. STALLATION complete and correct, leave Items 1, 11, and III below blank, if you did not receive a preprinted label, complete all items. "Installation" means a INSTALLA-TION MAILING ADDRESS single site where hazardous weste is generated, treated, stored and/or disposed of, or a trans-PLEASE PLACE LABEL IN THIS SPACE porter's principal place of business. Please refer to the INSTRUCTIONS FOR FILING NOTIFI-CATION before completing this form. The information requested herein is required by law LOCATION OF INSTAL-(Section 3010 of the Resource Conservation and Recovery Acti. FOR OFFICIAL USE ONLY APPROVED E В INSTALLATION MAILING ADDRESS STREET OR P.O. BOX CITY OR TOWN XIP CODE 5 4 4 0 STREET OR ROUTE NUMBER Ε ZIP CODE B INSTALLATION CONTACT 7 HAME AND TITLE (lest, first & job title) PHONE NO. Jarea code & no. OWNERSHIP A. NAME OF INSTALLATION'S LEGAL OWNER GHIT Ŧ PIOWE COMP NY 0 lR enter the appropriate letter into box) VI. TYPE OF HAZARDOUS WASTE ACTIVITY (enter "X" in the appropriate box(ea) 💹 A. GENERATION B. TRANSFORTATION (complete item VII) FEDERAL - NON-FEDERAL DB. UNDERGROUND INJECTION C. TREAT/STORE/DISPOSE II. MODE OF TRANSPORTATION (transporters only - enter "X" in the appropriate box(es)) E. OTHER (specify): DA. AIR C. HIGHWAY B. RAIL D. WATER

III. FIRST OR SUBSEQUENT NOTIFICATION

srk "X" In the appropriate box to indicate whether this is your installation's first notification of hazardous waste activity or a subsequent notification, this is not your first notification, enter your installation's EPA I.D. Number in the space provided below.

C. INSTALLATION'S EPA I.D. NO.

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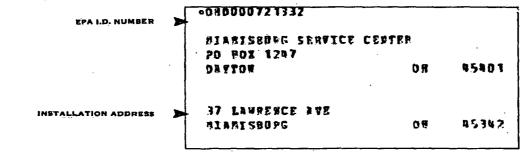
ease go to the reverse of this form and provide the requested information

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SIGNATURE	NAME & OFF	CIAL TITLE (LYPS OF P	rint)	DATE SIGNED

DPL2USEPA-JAN2015-000029



This is to acknowledge that you have filed a Notification of Hazardous Waste Activity for the installation located at the address shown in the box below to comply with Section 3010 of the Resource Conservation and Recovery Act (RCRA). Your EPA Identification Number for that installation appears in the box below. The EPA Identification Number must be included on all shipping manifests for transporting hazardous wastes; on all Annual Reports that generators of hazardous waste, and owners and operators of hazardous waste treatment, storage and disposal facilities must file with EPA; on all applications for a Federal Hazardous Waste Permit; and other hazardous waste management reports and documents required under Subtitle C of RCRA.



EPA Form 8700-12A (4-80)

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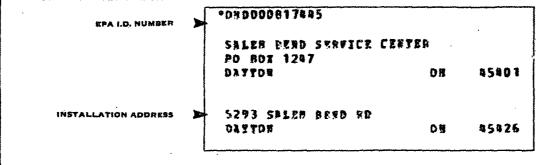
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EPA Form 8700-12A (4-80)

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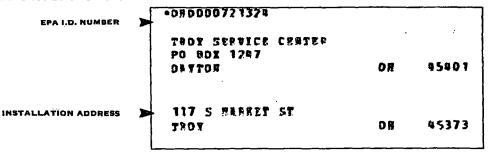


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EPA Form 8700-12A (4-80)

ACKNOWLEDGEMENT OF NOTIFICATION OF HAZARDOUS WASTE ACTIVITY



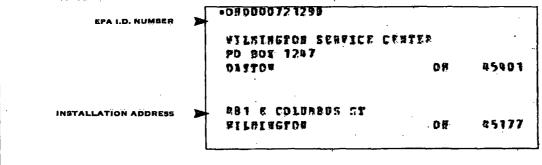
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EPA Form 8700-12A (4-80)

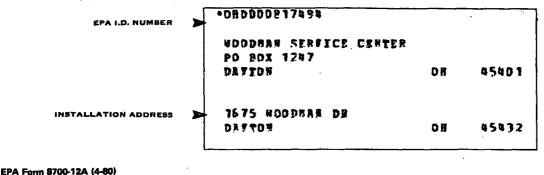
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IX. DESCRIPTION OF HAZARDOUS WASTES (continued from front) A. NAZARDOUS WASTES FROM NON—SPECIFIC SOURCES. Enter the four—digit number from 40 CFR Part 261.31 for each listed hazardous waste from non—specific sources your installation handles. Use additional sheets if necessary. B. HAZARDOUS WASTES FROM SPECIFIC SOURCES. Enter the four—digit number from 40 CFR Part 261.32 for each listed hazardous waste from specific industrial sources your installation handles. Use additional sheets if necessary. 13 14 15 16 17 18 19 10 11 12 13 14 15 16 17 18 18 19 19 10 10 11 11 12 13 14 15 16 17 18 18 19 19 10 10 10 10 10 10 10 10
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E. CHARACTERISTICS OF NON-LISTED HAZARDOUS WASTES. Mark "X" in the boxes corresponding to the characteristics of non-listed hazardous wastes your installation handles. (See 40 CFR Parts 261.21 - 261.24.)
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I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all
attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information
I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.
SIGNATURE MAME & OFFICIAL TITLE (type or print) DATE SIGNED
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EPA Form 8700-12 (6-80) REVERSE





SEPA	NOTIFICATION	HAZARDOUS WASTE AC		STRUCTIONS: If you of, offix it in the spe		
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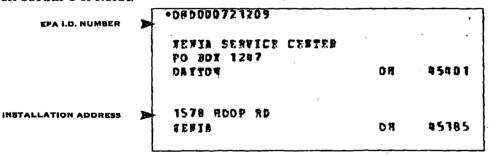
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DPL2USEPA-JAN2015-000046

LD. - FOR OFFICIAL USE ONLY



This is to acknowledge that you have filed a Notification of Hazardous Waste Activity for the installation located at the address shown in the box below to comply with Section 3010 of the Resource Conservation and Recovery Act (RCRA). Your EPA Identification Number for that installation appears in the box below. The EPA Identification Number must be included on all shipping manifests for transporting hazardous wastes; on all Annual Reports that generators of hazardous waste, and owners and operators of hazardous waste treatment, storage and disposal facilities must file with EPA; on all applications for a Federal Hazardous Waste Permit; and other hazardous waste management reports and documents required under Subtitle C of RCRA.

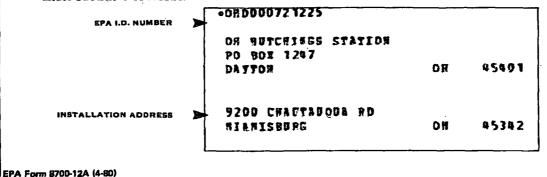


EPA Form 8700-12A (4-80)

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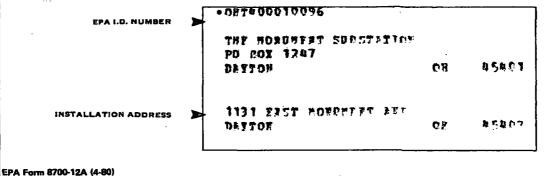
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EPA Form 8700-12 (6-80) REVERSE



ACKNOWLEDGEMENT OF NOTIFICATION OF HAZARDOUS WASTE ACTIVITY

This is to acknowledge that you have filed a Notification of Hazardous Waste Activity for the installation located at the address shown in the box below to comply with Section 3010 of the Resource Conservation and Recovery Act (RCRA). Your EPA Identification Number for that installation appears in the box below. The EPA Identification Number must be included on all shipping manifests for transporting hazardous wastes; on all Annual Reports that generators of hazardous waste, and owners and operators of hazardous waste treatment, storage and disposal facilities must file with EPA; on all applications for a Federal Hazardous Waste Permit; and other hazardous waste management reports and documents required under Subtitle C of RCRA.



NOTIFICATION (HAZARDOUS WASTE ACTIVITY VETRUCTIONS: If you received a preprinted	
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tenter the appropriate letter into bax; VI. TYPE OF HAZARDOUS WASTE ACTIVITY (enter "X" in the appropriate box(es))	-33
F - FEDERAL M ST. TREAT/STORE/DISPOSE DD. UNDERGROUND INJECTION	
VII. MODE OF TRANSPORTATION (transporters only - enter "X" in the appropriate box(es))	4
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VIII. FIRST OR SUBSEQUENT NOTIFICATION	ŧΞ
Aark "X" in the appropriate box to indicate whether this is your installation's first notification of hazardous waste activity or a subsequent notificat if this is not your first notification, enter your installation's EPA LD. Number in the space provided below.	ion.
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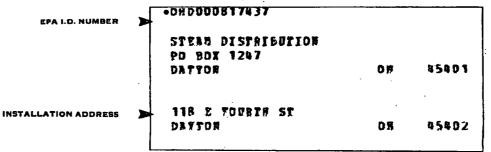
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EPA Form 8700-12 (6-80) REVERSE				

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EPA Form 8700-12A (4-80)

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M - NON-FEDERAL M - NO	tenter the appropr	iate letter into box)						
VII. MODE OF TRANSPORTATION (transporters only - enter "X" in the appropriate box(es)) A. AIR B. RAIL C. HIGHWAY D. WATER E. OTHER (specify): VIII. FIRST OR SUBSEQUENT NOTIFICATION Ark "X" in the appropriate box to indicate whether this is your installation's first notification of hazardous waste activity or a subsequent notification of this is not your first notification, enter your installation's EPA 1.D. Number in the space provided below. C. INSTALLATION'S EPA 1.D. A. FIRST MOTIFICATION B. SUBSEQUENT HOTIFICATION (complete flem C)			**		~			
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						C	, INSTALLATION'S	PA 1.D.
X. DESCRIPTION OF HAZARDOUS WASTES AND THE PROPERTY OF THE PRO			-	ENT HOTIFICATIO	M (complete fl	-m C)		
Hease go to the reverse of this form and provide the requested information.					CENTRAL CONTRACTOR	25.27.60	THE PARTY	IF /

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IX. DESCRIPTION OF HAZARDOUS WASTES (con	tinued from front)		FERRING ST.
A. HAZARDOUS WASTES FROM NON-SPECIFIC SOURCE waste from non-specific sources your installation handles.	ES. Enter the four—digit number from 4. Use additional sheets if necessary.	0 CFR Part 261,31 for a	och listed hazardous
B, HAZARDOUS WASTES FROM SPECIFIC SOURCES. En specific Industrial sources your installation handles. Use ac	F 0 1 7 F 0 1 7 F 0 1 7 F 0 1 7 F 0 1 7 F 0 1 7 F 0 1 7 F 0 1 7 F 0 1 7 F 0 1 7	Part 261.32 for each list	FD 4
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(Deex) (Deex)	RROSIVE SE REACY	T · (É	M4 TOXIC
X. CERTIFICATION I certify under penalty of law that I have persona attached documents, and that based on my inquiry I believe that the submitted information is true, ac mitting false information, including the possibility of	illy examined and am familiar with y of those individuals immediately s curate, and complete. I am aware t	esponsible for obtain	nitted in this and all
SIGNATURE	NAME & OFFICIAL TITLE (type of pr	int)	DATE SIGNED

EPA Form 8700-12 (8-80) REVERSE



EPA Form 8700-12A (4-80)

ACKNOWLEDGEMENT OF NOTIFICATION OF HAZARDOUS WASTE ACTIVITY

This is to acknowledge that you have filed a Notification of Hazardous Waste Activity for the installation located at the address shown in the box below to comply with Section 3010 of the Resource Conservation and Recovery Act (RCRA). Your EPA Identification Number for that installation appears in the box below. The EPA Identification Number must be included on all shipping manifests for transporting hazardous wastes; on all Annual Reports that generators of hazardous waste, and owners and operators of hazardous waste treatment, storage and disposal facilities must file with EPA; on all applications for a Federal Hazardous Waste Permit; and other hazardous waste management reports and documents required under Subtitle C of RCRA.

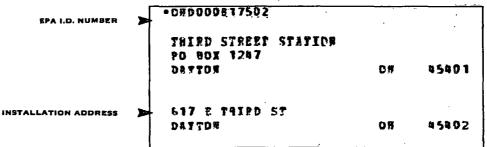


EXHIBIT B

Documents relating to the South Dayton Dump Site In Response to Question No. 15 and Question No. 16

PAGE &	DAIL	VOUCHER NO.	CHECK NO.	AMOUNT	
SOUTH DAYTON DUMP	AUG 21 52	8. 829	383,249	\$25.00	**
SOUTH DAYTON DUMP	SEP 23 52	I :	385,754	\$25.00	*
SOUTH DAYTON DUMP	OCT 31-52	1 1 9 1	389.088	\$25.00	* * ;
SOUTH DAYTON DUMP	NOV 18 52	11 638	390.526	\$25.00	**
SOUTH BAYTON DUMP 000	JAN 2 53	12. 1.524	394,328	. \$52.10	6:
SOUTH DAYTON DUMP	JAN 28 53	1. 1.369	396,823	\$25.00	4%
SOUTH DAYTON DUMP	MAR 31 53		402.116	***\$50.00	*
SHITTE TISK THE	APR 28 53	1 - 1	404.569	\$25,00	* >
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BOUTH DAYTON DIMP	ALG 28 51	8 1.177	414852	\$25.00	
SOUTH DAYTON DUMP	SEP- / 53		415,127	\$25.00	 F*
SOUTH DAYTON DUMP	OCI / 53		417,644	\$25,00	**
SOUTH DAYTON DUMP	UCC / 53		422.751	~ \$25,00	# 4
SOUTH DAYTON DUMP	JAN 11-54		426,162	\$25.00	**
SHIFTH DAYTON DUMP	FEB 16 54		429,318	\$50.00	*
SOUTH DAYTON DUMP	MAR # 54		450,683	\$50,00	¥ X
SOUTH DAYTON DUMP	APR 5 54		433,399	450.00	¥ X
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SOUTH DAYTON DUMP	MAX 27 54	5 6 6 70	435,735 437.841	\$50.00	_
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SOUTH DAYTON DUMP	- JM 28. 50	6. 1.236	440,314	#5000	**
SOUTH DAYTON CUMP	MIG 3 54	8, 1,3	445,313	\$50.00	* *
SOUTH DAYTON DIMP	SEF - 2 54	8, 1,366	445,784	450.00	¥.¥
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SOUTH CAYTON DUMP	100 7 54	10. 1.435	450,852	95,0,00	* * *
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SOUTH CAYTON GUMP	MAR 2 55.	2, 1,310	461.330	5000	()
SOUTH CAYTON CUMP	MR. 3.55	2. 1.465	461:504	\$25,00	··· +-:
SHOTEL CAYTON CUMP	WE 28 95	3: 1.212	463,569	95 QQ 0	* * 3
SOUTH EATTON DUMP	#8 29 55	3 1,249	463,619	\$25,00	¥-:
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SOUTH GAYTON CUMP	ME 2,55	7. 1.457	474344	\$175.00	₩.:
SOUTH-CANTON-CUMP	45.79-55	8 1.259	476.555	\$166.00	+*
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THE DAYTON POWER AND LIGHT COMPA	NY	ACCOUNTS	PAYABLE IN	DEX RECORD	200

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SOUTH DAYTON CUMP	GCT 12 55	10, 231	480,405	\$171.00	7
SOUTH CAYTON CUMP	NOV 2 55	10, 1,671	482,274	\$17000	×
SOUTH CATTON DUMP	NOV 28 55	11, 1,259	484,499	\$155.00	1 *
SOUTH DAYTON DUMP 0000	DEC3055		487,209	\$ 135.00	#
SOUTH DAYTON DUMP 000	JAN2756	1,209	489744	\$155.00	4
SOUTH DAYTON DUMP	FEB2456	2, 1,237	492443	\$ 155.00	*
SOUTH DAYTON DUMP	MAR 28 56		495254	\$ 155.00	4
SOUTH DAYTON DUMP	APR2556	4, 1,122	497,E03	\$155.00	*
SOUTH DAYTON DUMP	*AY2856	5, 1,373	500692	\$ 155.00	1
SOUTH DAYTON DUMP	JUN26 56	6, 1,221	503248	\$ 155.00	*
SOUTH DAYTON DUMP	##.2656	7, 1,261	505588	\$ 155.00	*
SOUTH DAYTON DUMP	SEP 4 56	8 1.587	508321	\$ 1.55.00	#1
SOUTH DAYTON DUMP	OCT: 4 56	9, 1,593	510664	\$ 400.00	#
SOUTH DAYTON DUMP	NOV 6'56	10 2073	513,114	\$ 400.00	*
SOUTH DAYTON DUMP	DEC 456	11. 1.742	515214	\$400.00	*
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SOUTH DAYTON DUMP	FFR 557	1. 1.783	1	\$ 400.00	- 41
SOUTH DAYTON DUMP	MAR 653	2, 1,866	5,016	T. 400.00	
SOUTH DAYTON DUMP	APR 351	2. 1.866 4. 13		\$ 400.00	63
SOUTH DAYTON DUMP	PAY 257	4 2036	9,718	5400.00	

FORM M-116 2-54

THE DAYTON POWER AND LIGHT COMPANY

ACCOUNTS PAYABLE INDEX RECORD

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SOUTH DAYTON BUMP	7 \$ C MUL	5. 2023		5 400.00	
SOUTH BAYTON BUMP	JUL 357	 7. 45	14584	- \$ 400:00	_*
SOUTH DAYTON DUMP	AUG- 257	7, 1,906	16,751	\$ 400.00	*
SOUTH DAYTOM DUMP	SEP 55T	8, 1,999	19.066	\$400.00	- E
SOUTH DAYTON DUMP	OCT 757	10, 119	21,360	\$400.00	*
SOUTH DAYTON DUMP	NOV 551	10 2167	23544	\$400.00	*
SOUTH DAYTON DUMP	DEC 457	12, 72	25,874	\$ 400.00	- *
SOUTH DAYTON DUMP	JAN 158	1, 88		<u> \$ 400.00</u>	1 .
SOUTH DAYTON DUMP	FEB 358		29908	\$400.00	1
SOUTH DAYTON DUMP	MAR 358	2, 1,489	31,981	\$ 400.00	1
SOUTH DAYTON DUMP	APR 258	3. 1.784	34297	\$400.00	1 4
SOUTH DAYTON DUMP	NAY 758	5, 102		\$400.00	•
SOUTH DAYTON DUMP	. 組織 3 58	5, 1,839	38695	5 400.00	7
SOUTH DAYTON DUMP	JUL 1658	7. 521		\$400.00	4
SOUTH DAYTON DUMP	AUG 4 58	7. 1,787	43,026	\$400.00	4
SOUTH DAYTON DUMP	SEP 358	8 1,693	45.032	\$400.00	. 1
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SOUTH DAYTON DUMP & LAND FILL	DEC 558	12, 91	51,793	\$ 400.00	-4
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SOUTH BAYTON BUMB & LAND FILL	DEC 1 1 58	12. 380 1, 135	52130 54142	\$ 103.00	*
SOUTH DAYTON DUMP & LAND FILL	JAN1459	1576	54,458 55,813	\$56.00 \$43.50	*
SOUTH DAYTON DUMP & LAND FILL SOUTH DAYTON DUMP & LAND FILL	FEB 259	389 1,576 1, 1,884	56040	\$400.00	*
SOUTH DAYTON DUMP AND LAND FILL	MAR 659	_3, 91	58,293	\$476.50	#
SOUTH DAYTON DUMP AND LAND FILL	APR 159	3, 1,657	60.069	\$67.50	*
SOUTH DAYTON DUMP & LAND FILL	APR 659	4, 64	60,416	\$400.00	*
SOUTH DAYTON DUMP AND LAND FILL	MAY 659	5, 38	62645	\$ 482.50	*
SOUTH DAYTON DUMP AND LAND FILL	JUN 559	6, 133	64,859	\$466.00	#
SOUTH DAYTON DUMP & LAND FILL	现 159	6, 1,751	66,742	\$84.00	*
SOUTH DAYTON DUMP & LAND FILL	AL 159	7, 75	67,135	\$400.00	*
SOUTH DAYYON DUMP & LAND FILL	AUC 459	7, 1,790.	69,036	\$6750	₩:
SOUTH DAYTON DUMP & LAND FILL	4061259	8 360	69,578	\$400.00	*
SOUTH DAYTON BLAMP & LAND FILL	SEP 359 ·	8 1.827	71.118	\$400.00	.#
SOUTH DAYTON DUMP & LAND FILL	SEP1759	9. 712	72037	\$ 52.50	4 *
SOUTH DAYTON DUMP, & LAND FILL	DCT 559	9, 2,111	73,444	\$400.00	*
SOUTH DAYTON DUMP & LAND FILL	NCT 954	10 247	73,775	\$25.50	*
	MOY 1159	10 2161	75.794	\$400.00	**
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PAGE	7			DATE VOUCHER NO.		CHECK NO.	AMOUNT	ļ. 	
SOUTH	DAYTON	DUMP & LAN	D FILL	JUL 1061	7,	160	19,624	\$ 400.00	*
SOUTH	DAYTON	DUMP & LAN	D FILL	AUC 761	8.	89	21.600	\$400.00	
SOUTH	DAYTON	DUMP & LAN	FILL	3EP 661	₿,	1,817	23,563	\$400.00	*
SOUTH.	DAYTON	DUMP & LAN	FILL	00 OCT 361	9,	1,771	25,676	\$400,00	.\$4
SOUTH	DAYTON	BUMP & LAN	FILLO	NOV 261	I Q,	2,004	28,330	\$400.00	*
# SOUTH	DAYTON	DUMP & LAN		HOV3061	11.	1,580	30,383	\$400.00	*
BOUTH	DAYTON	DUMP & LAN	FILE	JAN 362	12	1,769	32,878	\$400.00	*
SOUTH	DAYTON	DUMP & LAN	FILL	FE8 662	1,	2040	35,379	\$400.00	. %
HTUOE	DAYTON	DUMP & LAN	FILL	MAR 262	2,	1,548	37,227	\$ 400.00	*
	DAYTON			APR 362	3	1,929	39,552	\$ 400.00	*
SOUTH	DAYTON	DUMP & LAND	FILL	MAY 262	4	1871	41.825	\$400.00	#
			FILL	AIN 467	5.	1.789	44004	\$400.00	
			FOLL	JUL 362	6	1,619	46015	\$400.00	*
SOUTH	DAYTON	DUMP & LAND	FILL	AUG 262	7.	1.665	48117	\$400.00	*
SOUTH	DAYTON	DONA P LVA	FILL	SEP: 562	8,	1,861	50,606	\$400.00	*
SOU TH	DAY TON	DUMP & LAND	FILL	OCT 262	9,	1.765	52741	\$ 400.00	*
ļ —————		DUMP & LAND		NOA SES	10.	1,957	55,155	\$ 400.00	14
SOUTH	DAYTON		FILL	DEC 467	11:	1.846	57.505	\$ 400.00	(j
SOUTH	DAYTON	DUMP & LANE		HR 563	1.2	1675	60074	90,000	-
SOUTH	DAYTON	DUMP & LAN	FILL	FEB 463	1,	1,862	, -	\$ 400.00	*

ACCOUNTS PAYABLE INDEX RECORD

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PAGE 8	DĂTE	VOUCHER NO.	CHECK NO	AMOUNT
SOUTH DAYTON DUMP & LAND FILL	MAR 563	2, 1,702	64,469	\$400.00 *
SOUTH DAYTON DUMP & LAND FILL	. APR 263	3 1.760	66506	\$400.00 *
SOUTH DAYTON DUMP & LAND FILL	. MAY 363	4, 1,846	68,652	\$400.00 *
SOUTH DAYTON BOME & LAND FILL	.规则 463	5, 2037	71.031	\$ 400.00 *
	JUL 263	6, 1,796	73,527	\$400.00 *
SOUTH DAYTON DUMP & LAND FILL	AUC 563	7, 1,889	75,768	\$400.00 #
SOUTH DAYTON DUMP & LAND FILL	SEP 563	8. 1.817	77,955	\$400.00 #
SOUTH DAYTON DUMP & LAND FILL	OCT 263	9. 1,793	80,038	\$400.00 #
SOUTH DAYTON DUMP & LAND FILL	NOV 463	10 1981	82446	\$400.00 *
SOUTH DAYTON DUMP & LAND FILL	0EC 463	11, 1,827	84,778	\$400.00 ×
SOUTH DAYTON DUMP & LAND FILL	#33 HAL.	12 1,836	86,931	\$400.00 *
SOUTH DAYTON DUMP & LAND FILL	FEB 564	1. 1.909	89187	\$400.00 *
SCRITH DAYTON DIREP & LAND FILL	HAR NOS	2 1681	1.241	\$400.00 #
SOUTH DAYTON DUMP & LAND FILL	APR 264	3 1852	3425	\$400.00 *
SOUTH DAYTON DUMP & LAND FILL	MAY 664	4 1,963	5.822	\$400.00 *
SOUTH DAYTON DUMP & LAND FILL	JUN 364	5 1801	7,881	\$400.00 ×
SOUTH DAYTON DIMP & LAND FILL	AR 664	6 1808	10000	\$400.00
SOUTH DAYTON GUMP & LAND FILL	AUG 464	7, 1907	12235	\$400.00 *
SOUTH DAYTON DIMP & LAND FILL	SEP 264	8 1733	14395	\$400.00 *
SOUTH DAYTON DUMP & LAND FILL	OCT 264	9 1777	16557	* 00.00

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THE DAYTON POWER AND LIGHT COMPANY

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PAGE # .9	85530	DATE	vonc	IER NO	CHECK NO.	AMOUNT						
SOUTH DAYTON DUMP	& LAND FILL	NOV 364	10,	1,942	18,980	\$400.00	*					
	& LAND FILL	DEC 364	11.	1871	21,681	\$400.00	*					
SOUTH DAYTON DUMP	& LAND FILL	GAN 665	12	1,806	23949	\$400.00	#					
SOUTH DAYTON CLAP	& LAND FILL	O FEB 365	1.	1,789	24077	\$400.00	*					
SOUTH DAYTON DUMP	& LAND FILLO	MAR 365	2,	1691	28194	\$4,00.00	*					
SOUTH DAYTON DUMP	& LAND FILL	APR 565	3,	1,989	31,006	\$400.00	•*					
SOUTH DAYTON DUAP	& LAND FILL	MY 565	4	1,988	33323	\$400.00	*					
SOUTH DAYTON DUMP	& LAND FILL	現時 365	5 .	1.935	35.614	\$400.00	-03					
SOUTH DAYTON DUMP		JUL 765	6,	2024	38,298	\$400,00	*					
	& LAND FILL	AUG 465	7,	1,743	40457	\$400.00	*					
SOUTH DAYTON DUMP	& LAND FILL	SEP .765	9,	62	42948	\$400.00	*					
SOUTH DAYTON DUMP	& LAND FILL	OCT 465	9,	1,755	44,923	\$400.00	*					
SOUTH DAYTON DUMP	& LAND FILL	NOV 365	10	1,686	47.143	\$400.00	. *					
SOUTH DAYTON DUMP		DEC 365	11,	1,882	49,547	\$400.00	*					
JOUTH DATES, DAM			[· ·									
SOUTH DAYTON DUMP	& LAND FILL	JAN 566	12	1,927	51,900	\$400.00	*					
SOUTH DAYTON DUMP	AND LAND FILL	FEB 366	1.	1,6 98	53,974.	\$400.00	*					
SOUTH DAYTON DUMP	& LAND FILL	MAR 366	2,	1,803	56472	\$400.00	*					
SOUTH DAYTON CUMP	& LAND FILL	APR 566	3	2000	58884	\$400.00	L.E					
SOUTH DAYTON DUMP		MAY 466	4	1.816	61,228	\$400.00	*					
CONTINUED. CONTINUED. THE DAYTON POWER AND LIGHT COMPANY ACCOUNTS PAYABLE INDEX RECORD												

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PAGE # 1 0	85530	, DATE	VOUCHE	R NO.	CHECK NO	AMOUNT	
SOUTH DAYTON DUMP	& LAND FILL	JUN 266	5.	1,962	63,484	\$400.00	*
- SOUTH DAYTON DOMP	& LAND FULL	JUL 566	6	2097	65,887	\$400.00	13
SOUTH DAYTON DUMP !	LAND FILL	AUG 566	8,	144	-68417	- \$400.00	. *
SOUTH DAYTON DUMP &	LAND FILL	SEP 266	8,	2,178	70698	\$400.00	#
SOUTH DAYTON DUMP	& LAND FILL	OCT 566	9,	1,966	73,008	\$40000	*
SOUTH DAYTON DUMP	& LAND FILL	NOV: 466	1 1.	58	75,782	\$400.00	*
SOUTH DAYTON DUMP	& LAND FILL	DEC 566	11.	2072	78112	\$400.00	*
SOUTH DAYTON DUMP	& LAND FILL	JAN 567	1,2,	2,006	80482	\$400.00	129
SOUTH DAYTON DUMP	AND LAND FILL	FEB 367	1,	1,998	82,726	\$400.00	*
SOUTH DAYTON DUMP	& LAND FILL	MAR 367	2	2080	85,154	\$400.00	*
SOUTH DAYTON DUMP &	LAND FILL	APR 467		2,225	87,934	\$400.00	*
SOUTH DAYTON DUMP &	LAND FILL	MAY 367	4,	1,914	74	\$400,00	*
SOUTH DAYTON DUMP	& LAND FILL	733 HUL	5.	2,211	2644	\$400.00	*
SOUTH DAYTON DUMP &	LAND FILL	JUL 667	6,	1,951	4,904	\$400.00	*
SOUTH DAYTON DUMP A	LAND FILL	AUG 367		L8'34	7.1.49	\$400.00	ŧ
SOUTH DAYTON DUMP &	LAND FILL	SEP 667	8,	2.024	9,545	\$400,00	*
SOUTH DAYTON DUMP &	LAND FILL	0CT 467	9,	1,938	1 1,885	\$400.00	*
SOUTH DAYTON DUMP	LAND FILL	NOV 367	10	2336	14,607	\$400.00	*
		DEC 563	11.	2180	17,175	\$400.00	*
SOUTH DAYTON DUMP 8	7		4.9	لممع			
SOUTH DAYTON DUMP		TINUICO	12,	1,5 92 	1-30-91	\$400,00	#-

THE DAYTON POWER AND LIGHT COMPANY

ACCOUNTS PAYABLE INDEX RECORD

PAGET 1 1	85530	DATE	VOUCH	ER NO.	CHECK NO.	· AMOUNT	
SOUTH DAYTON DUMP	& LAND FILL	FEB 268	1.	2,230	22.061	\$600,00	*
SOUTH DAYTON DUMP	& LAND FILL	MAK 408	2_	2152	24464	00.000	- {+
SOUTH DAYTON OUMP	& LAND FILL	APR 36R		2.034	26,963	5600.00	#
SOUTH DAYTON DUMP	& LAND FILL	Ar 268	4_	2051	29347	460000	#
-SOUTH DAYTON DUMP	& LAND FILL	900 NIN 56H	_5_	2325	32,781	560000	#
SOUTH DAYTON DUMP	& LAND FILL	368 III 368		1,924	35,378	00.00∂⊉	 #
- SOUTH DAYTON DUMP	& LAND FILL	AUC 568	7	2290	37972	00.00	
	& LAND FILL	SEP 56h	8,	2142	40356	\$ 600.00	*
SOUTH DAYTON DUMP	& LAND FILL	OCT 46%	9,	2,146	42,867	\$6 00,00	#
SOUTH DAY TON DUMP	& LAND FILL	NOT 568	10	2317	45568	\$600.00	*
SOUTH DAYTON DUMP	& LAND FILL	BEC 408	11.	2139	47.973	5600.00	#
SOUTH DAYTON DUMP	& LAND FILL	PAR HAL.	12	1,956	50.703	2600.00	<u>.</u> *
SOUTH DAYTON DUMP.	& LAND FILL	158 464	1,	1,930	52796	5600.00	*
SOUTH DAYTON DUMP	&LAND FILL	MEK JOY	2	212	55304	5600.00	
SOUTH DAY TON DUMP	& LAND FILL	APR 369	4,	102	57,943	\$60000	*
SOUTH DAY TON DUMP	& LAND FILL	MAY 269	5_	54	60357	\$600.00	*
SOUTH DAYTON DUMP	& LAND FILL	TIN 660	5_	234	63148	<u>\$600.00</u>	
SOUTH DAYTON DUMP	& LAND FILL	1111 - 369	7,	84	65.488	3:600.00	*
SOUTH DAYTON DUMP	& LAND FILL	AUS UNS	7,	2,565	68,0 98	00.000€	*
SOUTH DAYTON DIMP	& LAND FILL	Str 364	_8,	2,247	70,581	\$600.0d	*
FORM M-1160		. BONTINUE	3				

. ACCOUNTS PAYABLE INDEX RECORD

لمعلق الأراب الماكنة المساوية				100		, ,
PAGE#12	85530	OATE - , ,	VQUCHER NO.	CHECK NO	AMOUNT	
SOUTH DAYTON DUMP	& LAND FILL	001 369	10, 11	7 73389	\$600.00	. *
SOUTH DAYTON DUMP	& LAND FILL	NUY HPA	16 274	8 76,170	0.0002	*
- SOUTH DAY TON DUMP	& LAND FILE	- <u>- Det 969</u>	12 43 12 235	5 79183 3 81241	\$600.0 \$600.0) *
	& LAND FILL	FER 370	1, 2,29		\$ 6 00.00	
SOUTH DAYTON DUMP	& LAND FILL	MAK 370	2, 2,24	86,259	\$600.00	
SOUTH DAYTON DUMP	& LAND FILL	APR 310	4, 10		\$600.00	3 ·
SOUTH DAYTON DUMP	& LAND FILL	HAY 13 U	5, 53	3504	\$600.00	*
SOUTH BAYTON BUMP	& band file	JUN 510 JUL 610	6. 24.5 7. 68	5.330 8.260	\$600.00 \$600.00	*
		101 28 TO	7. 1.71	9,983	\$600.00	#
SOUTH BAYTON BUMP		SEP 370	8, 230		\$600.00	
SOUTH DAYTON DUMP	& LAND FILL	007 270	9, 2,38	15,829	\$600.00	*
SOUTH DAYTON DUMP	& LAND FILL	NOV 370 DEC 270	10 246 11 234		<u>\$600.00</u>	
SOUTH DAYTON DUMP	& LAND FILL	JAN 571	12 206		\$600.00	
- SOUTH DAYTON DUMP	&LAND FILL					
SOUTH DAYTON DUMP	& LAND FILL	FEB 371	4 2,12	2 25.779	\$640.00) (:
SOUTH DAYTON DUMP	& LAND FILL	## * 4 11	3,10	28,383	\$630.0 ¢	*

THE DAYTON POWER AND LIGHT COMPANY

ACCOUNTS PAYABLE INDEX RECORD

WEAGE 18	85530	DATE	vouc	HER NO.	CHECK NO.	AMOUNT	
SOUTH DAYTON DUM	P& LAND FILL	APR 171	3,	2028	30457	00.000	*
SOUTH DAYTON DUM		HPT 431	<u>4.</u> 5.	2168	33407	00.00	
SOUTH DAYTON DUM	P& LAND FILL	JUN 371	5,	2,080	35,723	\$600.00	*
SOUTH DAYTON DUM	P& LAND FILL	116 40	6,	2192	38,210	\$600.00	*
SOUTH DAYTON DUM	P & LAND FILL	AUG 571	8,	218	40,617	40000	*
SOUTH DAYTON DUM	P & LAND FILL	001 571 000 971 000 571	8,	2,413	42984	\$600.00	# H
SOUTH DAY TON DUM		OCT 571	9,	2170	45,372	\$600,00	E *
SOUTH DAYTON DUM	P & LAND FILL	NOV 271.	14	2,238	47.856	\$600.00	#
SOUTH DAYTON DUM	P & LAND FILL	1FS 230	1 1,	2,242	50346	\$600.00	*
MUC ACTIVAC HTUBE	E & LAND FILL	DFC3071	12	1.620	52,379	\$600.00	*
	, w create the	FEB 3 12	. 1.	1,656	54,779	\$600,00	* * ?
SOUTH DAYTON DUM	P & LAND FILL	MAK 3.72	3,	84	57,127	\$600.00	45
SOUTH DAYTON BUME	& FWN FIFT	APR 4.72	3, 4,	1.940	59,190	\$ 600.00	4
		MAY 3 12	446	1,953	61,640	\$ 600.00	*
SOUTH BAYTON BUM	& LAND FILL	JUN 572	5,	2155	64004	\$ 600.00	#
SOUTH DAYTON DOM	& LAND FILL	JUL 672	7,	92	66293	\$ 600.00	F K
SOUTH DAYTON DUM		AUG Z 1Z	7,	1,932	68,311	\$600,00	制水
SOUTH DAYTON DUMP		SEP 6 72	8,	2,0 66	70,581	\$600.00	l ti
SOUTH DAYTON DUMP	% LAND FILL	OCT 4-72	9,	1,760	72544	£600.00	*
SOUTH DAYTON OLM	P.A. LAND ELLI	NOV 332	1.0	-0.01	7.0-7		
		1101-316	10, -	2021	74,837	\$ 500,00	N K

Form M-1160

THE DAYTON POWER AND LIGHT COMPANY

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ACCOUNTS PAYABLE INDEX RECORD

PAGE 1	85530	DATE	Vouc	HER NO.	CHECK NO	AMOUNT	
SOUTH DAYTON CUMP							<u> </u>
SOUTH DAYTON DUMP AND	I AND FILL	DEC 512	12	- 64	77.050	\$ 6 00,00	四水
SOUTH DAYTON DIMP & I		JAN 973	1.	220	79,212	\$600,00	胡木
CALITY DAYTON DIMP & 1	AND FUL	FEB 573	2	33	8 1,2 77	\$600,00	四十
	AND FILL	11AK 573	3	. 87	83,426	\$ 6 00.00	13 *
	AND FILL	APR 5 (5	3,	1,7 00	85,510	4 - 0 - 100	E W
SOUTH DAYTON DUMP & LA	AND FILL	MAY 3 13	5,	51	88,034	\$6 00,00	जिस
	AND FILL	JUN 573	6,	75	9 0,1 96	\$ 6.00.00	粉米
	AND FILL	JUL 373	6.	1,618	91969		*
	NO FILL	AUG 3 13	8,	73	94,208		11 W
SOUTH DAYTON DUMP & LA	AND FILL	OCT 3 (3	9,	1,6 24	1,3 83	\$ 1,8 40.00	初来
SOUTH DAYTON DUMP & L	AND FILL	NOV 573	10.	2,000	3,6 15	\$ 9 20,00	图米
	AND FILL	DEC 1 173	12,	325	6,0.07	\$ 9 20.00	E .3
	AND FILL	4701 MAL	1.	261	7.7 57	\$ 9 20,00	图 4
		FE8 \2 74	2.	381	9,9 31	\$ 9 20.00	
SOUTH DAYTON DUMP & L	AND FILE	198 19-14	3	273	1 19 15	\$ 9 20 00	
SOUTH DAY FON BUMP & L	AND FILE	APK 9 DL	-4-	. 4.13	139.25	<u> </u>	92.92
SOUTH DAYTON DUMP & L	AND FILL	MAY 13 TH	5	558	16.320	\$920.00	₩ 16
		JUN 10-14	6	243	18224	\$920.00	3 ×
SOUTH DAYTON DUMP & LA	ND FILL			630	20.(0)	- 5920.00	1 .

Form M-1160

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THE DAYTON POWER AND LIGHT COMPANY

ACCOUNTS PAYABLE INDEX RECORD

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PAGE 1 5 85530	DATE	VOUCHER NO.	CHECK NO.	AMOUNT
SOUTH DAYTON DUMP & LAND FILL	AUG 12 14	8, 407	22329	5920.00
SOUTH DAYTON DUMP & LAND FILL	SEP 13.14	9 590	24,777	5920.00 ¥±
SOUTH DAYTON DUMP & LAND FILL	0CL 9.14	10, 39	26522	S920.00 € 9
SOUTH DAYTON DUMP & LAND FILL	1914	11. 92		5920.00 € +
SOUTH DAYTON DUMP & LAND FILL	18 14 BEC 18 14	12 73		£920.00 # +
SOUTH DAYTON DUMP & LAND FILL	19 14 19 19 14 19 19 19 19 19 19 14 19 19 14	1, 1,04	63,038	\$920.00 H
SOUTH DAYTON DUMP & LAND FILL	FEB13 15	2 493		5920.00 € ×
SOUTH DAYTON DUMP & LAND FILL	MAR 18 15	3 , 68	3 66,545	\$920.00
SOUTH DAYTON DUMP & LAND FILL	APR 1475	4, 52		\$ 920.00 图 \$
SOUTH DAYTON DUMP & LAND FILL	MAY 14 15	5, 523	70,088	5920.00 # #
SOUTH DAYTON DIME & LAND FILL	JUN 1 15	6 377	71,785	\$920.00 [#] «
SOUTH DAYTON DUMP & LAND FILL	JUL 15 (5	7, 576		\$920.00 # x
THE PART OF LAND PILL	AUGZ1 13	8, 938	76206	\$920.00 # *
SOUTH DAYTON DUMP & LAND FILL	255.52 (2	9, 966	78072	\$920.00 4 *
SOUTH DAYTON DUMP & LAND FILL	00116 (5	10, 52	73,541	5920.00 H
SOUTH BAYTON DUMP & LAND FILL	NOY \2 (5	11, 501	1	\$920.00
	DEC 30 15	12, 131	84,267	\$920.00 # 1
SOUTH DAYTON DUMP & LAND FILL	- JAN2176	1, 751	85,610	\$920,00 ##
SOUTH DAYTON DUMP & LAND FILL	FL81776	2, 658	87,342	\$920.00 #
SOUTH DAYTON DIMP & LAND FILL	WK/8.19	3 952	89.481	\$920.00 P

THE DAYTON POWER AND LIGHT COMPANY CONTINUED ACCOUNTS PAYABLE INDEX RECORD

		1	1	,
PAGE 1 6 85530	DATE	VOUCHER NO.	CHECK NO	AMOUNT
SOUTH DAYTON DUMP & LAND FILL	L APR21-76	_ 4,88;	91,786	- \$920.00 W (
SOUTH DAY TON DUMP & LAND FILE	- HAY 24 16	5, 1,1 38	94,086	\$9 20,00
SOUTH DAYTON DUMP & LAND FILE	Juil 18 to	6, 561	95,747	5920.00 ×
SOUTH DAYTON DUMP & LAND FIL	L JUL 1576	7, 609		\$ 920.00
SOUTH DAYTON DUMP & LAND FIL		8, 652	99,491	\$ 920.00
SOUTH DAYTON DUMP & LAND FIL	SEP'20 16	9, 849	101,887	\$920.00 ₩ *
SOUTH DAYTON DUMP & LAND FILE			104206	\$920.00 ₩ 1
SOUTH DAYTON DUMP & LAND FIL	NOV 12 16		105,640	/ 5 9 2 0 0 0 競士
SOUTH DAYTON DUMP & LAND FIL	T DECSO 18		107791	
SOUTH DAYTON DUMP & LAND FIL	JAN 26 13	1, 1,097	109,875	\$920.00 # #
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THE DAYTON POWER AND LIGHT COMPANY

ACCOUNTS PAYABLE INDEX RECORD

DP&L_000201:

TURM I HEY, 9-1-67 FURCHASE ORDER NO. TO PURCHASING WHEN MATERIAL RECEIVED THE DAYTON POWER AND LIGHT COMPINY 84190-B DAYTON, OHIO 45401 THIS ORDER NUMBER MUST APPEAR ON ALL INVOICES, **PURCHASE ORDER** PACKAGES, CORRESPON CORRESPONDENCE J. STANTON SOUTH DAYTON DUMP TO: W.P. LEE, NEFF, JACKSE, MAETKE TROUTHAN, STORES 1975 SPRINGBORD PIKE DAYTON, OHIO 45439 000011 GILLESPIE, BRISTON. E.H. FISCHER SHIP VIA THIS COPY USED AS ORDER CLOSEOUT F.O.B. DATE MAT'L REQUIRED AS REQUESTED QUAN. REC'D. QUAN. GRDERED DESCRIPTION AMOUNT SYMBOL NO. UNIT THIS ORDER TO COVER THE PRIVILEGE OF DISPINO WASTE BATTERIAL FOR THE PERIOD OF JAMPARY 1, 1973. TIGU DECEMBER 31, 1973 THIS ORDER SUPERSEDES OUR ORDER #71948-8 ACCOUNT CLASSIFICATION DEMARTHEN AMOURT CAS CONSTRUCTION 75.00 DAYTON ELECTRIC 3588 187.50 102 3588 75.00 ELECTRIC MAINTENANCE 106 34 LONGWORTH STEAM STATION 385 5501 187.50 STORES OPERATIONS 152 f 63 21 37.50 STEAM DISTRIBUTION 386 5880 96 37.50 12-11-72 PRE-PAID COLLECT RECEIVING LOCATION WASTE DISPOSAL - VARIOU F DAMAGED, CAUSE AND EXTEN LUCATIONS: STURES PRO-WAYBUL FRY, BILL NO. GAS / OII ACCOUNT OR W.O. LOCATION DETAIL 5/K CODE ITEM REF. AREA OPERATIONS RET. CODE CAR INITIALS A NO SEE ABOVE ACCT. CLASS MERCTED BY DATE INSPECTED APPR'D PURCH. AGENT TO ACCTO, DEPT.

(SEE OTHER SIDE)

PLEASE FURNISH THE ABOVE AS INDICATED, SUBJECT TO THE PROVISIONS HEREOF,

INCLUDING THE TERMS AND CONDITIONS ON THE OTHER SIDE.

DP&L1000201!

TO PURCHASING WHEN MATERIAL RECEIVED

THE DAYTON POWER AND LIGHT COMPANY DAYTON, OHIO 45401 PURCHASE ORDER

PURCHASE ORDER NO.

84190-8

THIS ORDER NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES, CORRESPONDENCE AND SHIPPING PAPERS.

TO:

SOUTH DAYTON MUMP 1975 SPRINGBORD PIKE DAYTON, OHIO 45439

000012

BLUE COPY SENT TO: J.STANTON CC: W.P.LEE, NEFF, JACKSI HAETKE, TROUTMAN, MAI STORES, GILLESPIE

	1 195HED: 10-1-73 (SHEET 2)									Briston, E.H.Fische							
VIA		· ·		DELIVERY	6		•							ORDER CLOS		USED AS	EC. REPORT
				TE	RMS				[MATE MAT	L REQUI	REO		1	,		
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DUAN. RDERED				· · ·	DESC	RIP	TION	:		<u> </u>	<u></u>	AMOI	JNT	SYMBOL	NO.	UNIT	QUAN. REC'D.
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ACCT. CLASS

DATE INSPECTED

TO ACCTG. DEPT.

rein 14-11-12-42 -OFFICE INFORMATION

The Dayton Power and Light Company

Date 4-12-7

Yo: Mr. Ron Wheeler

SUBJECT: South Dayton Dump

Attached are receipts for four (4) truck loads of spoil dirt.

On April 6, 1972 it was necessary for us to rent a dump truck, in conjunction to excavating work on one of our projects. The operator, at the South Dayton Dump, would not permit the use of our blanket purchase order for dumping, with a non-company marked dump truck.

. He claims that he has no way of verifying whether or not a truck is in hire of the Dayton Power & Light.

He issued these receipts as a cross check and intends to send a separate bill to you for the dumping of these four (4) loads. He, also insimuated that, perhaps we were dumping more material at his dump than what was originally agreed upon under the existing arrangements. He reasons this, because it was necessary for us to rent a truck, because we did not have enough trucks, of our own, to haul away the dirt that was necessary.

RRH/mr Attach. Robert R. Hipp

TO PURCHASING WHEN MATERIAL RECEIVED THE DAYTON POWER AND LIGHT COMPANY DAYTON, OHIO 45401

THIS ORDER NUMBER MUST APPEAR ON ALL INVOICES,

FURCHASE UNDER NU.

PURCHASE ORDER PACKAGES, CORRESPONDENCE AND SHIPPING PAPERS. South Bayton Damp TO: Stanton BLUE COPY SENT TO: 1975 Springhoro Pike 000016 W. P. Lee, Reff Dayton, Onto Jackse, Restke Troutmen, Stores Gillemie, Bristo E.H. Placher, Macy SHIP VIA DELIVER TO THIS COPY USED AS MAT. REC. REPORT ORDER CLOSEOUT DATE MAT'L REQUIRED As Requested QUAN. ORDERED QUAN. DESCRIPTION AMOUNT SYMBOL NO. UNIT This order to cover the privilege of dusping weste material for the ported of James 1, 1974, through June 30, 1974, \$920.00 per month Par verbal quote to Dave Costello. This order supercodes our order GLEO-B. 95005-B PRE-PAID COLLECT MAT'L TO BE USED FOR aucte disposal - various PART LOCALIONS! STORES OFERA. IF DAMAGED, CAUSE AND EXTENT PRO-WAYBILL FRT. BILL NO. ACCOUNT OR W.O. LOCATION AREA THUOMA DETAIL RET. CODE PRIME CAR INSTIALS & HO. 160 60 102 100 CO DATE INSPECTED ACCT. CLASS 106 3588 20. 00 345 152 绺 8 翌 res cort PPR'D PURCH. AGENT TO ACCTG. DEPT. an Histr. 326 5880 **75** 00 PLEASE FURNISH THE ABOVE AS INDICATED, SUBJECT TO THE PROVISIONS HEREOF, DP&IL 0002021

(SEE OTHER SIDE)

INCLUDING THE TERMS AND CONDITIONS ON THE OTHER SIDE.

WORK COPY OF PURCHASE ORDER

PURCHASE ORDER NO.

95005 - B

DATE 1-1-74

THE DAYTON POWER AND LIGHT COMPANY DAYTON, OHIO 45401 **PURCHASE ORDER**

THIS ORDER NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES, CORRESPONDENCE AND SHIPPING PAPERS.

TO:

South Dayton Dump 1975 Springboro Pike Dayton, Ohio 45439

INCLUDING THE TERMS AND CONDITIONS ON THE OTHER SIDE.

BLUE COPY SENT TO:

Stanton W. P. Lee, Neff Jackse, Maetke Troutman, Stores Gillespie, Bristo

This order to cover the privilege of dumping waste material for the period of January 1, 1974 through June 30, 1974. **Sp2.00 per month For verbal quote to Dave Costello. This order supersedes our order 84190-B. **June 19.00 Ps. 7-7-74 **Sp2.00 per month For verbal quote to Dave Costello. This order supersedes our order 84190-B. **June 19.00 Ps. 7-7-74 **Sp2.00 per month For verbal quote to Dave Costello. This order supersedes our order 84190-B. **June 19.00 Ps. 7-7-74 **Sp2.00 Ps. 7-7-74 **Sp2.00 Ps. 7-7-74 **Sp2.00 Ps. 7-7-74 **Sp2.00 Ps. 7-7-74 **June 19.00 Ps. 7-7-74 **June 19.00 Ps. 7-7-74 **June 19.00 Ps. 7-7-74 **June 19.00 Ps. 7-7-74 **June 19.00 Ps. 7-7-74 **June 19.00 Ps. 7-7-74 **June 19.00 Ps. 7-7-74 **June 19.00 Ps. 7-7-74 **June 19.00 Ps. 7-7-7-75 **June 19.00 Ps. 7-7-7-75 **June 19.00 Ps. 7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-7-	SRIP VIA			DELIVER TO							<u></u>		THIS	H. FISCE	er, macj
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FORM | REV. 11-73

TO PURCHASING WHEN MATERIAL RECEIVED

THE DAYTON POWER AND LIGHT COMPANY

PURCHASE ORDER

PURCHASE ORDER NO.

D- 34644-в

THIS ORDER NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES, CORRESPONDENCE AND SHIPPING PAPERS.

TO:

SOUTH DAYTON DUMP 1975 SPRINGBORD PIKE DAYTON, OHIO 45439

DATE 1-1-75

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CC: W.P. LEE, JACKSE TROUTHAN, GILLESPIE, E.H. FISCHER, R. ROTH, MAETKE

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WORK COPY OF PURCHASE ORDER

PURCHASE ORDER NO.

THE DAYTON POWER AND LIGHT COMPANY DAYTON, OHIO 45401

AYTON, OHIO 45401
PURCHASE ORDER

D= 34644-B

THIS ORDER NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES, CORRESPONDENCE AND SHIPPING PAPERS.

TO:

SOUTH DAYTON DUMP 1975 SPRINGBORD PIKE DAYTON, OHIO 45439

DATE 1-1-75

000050

BLUE COPY SENT TO: STANTON

CC: W.P. LEE, JACKSE TROUTMAN, GILLESPIE, E.H. FISCHER, R. ROTH, MAETKE STORES, BRISTOW, MACY

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PLEASE FURNISH THE ABOVE AS INDICATED, SUBJECT TO THE PROVISIONS HEREOF, INCLUDING THE TERMS AND CONDITIONS ON THE OTHER SIDE. (SEE OTHER SIDE)

P844000202

For Sale SOUTH DAYTON DUMP & LAND FILL We Buy Old Trucke Car and Muchinery OFFICE—2708 Keritzer Rd. Moraine City, Ohlo 45439

Purchasing Dept 253-75-Payton Ohio 45401

Statements rendered on or about the first of each month for all bills whether due or not, for the purpose of comparison. Kindly advise of any arms or difference.

Date Due P. O. # D. 34649-B Your Balance is the loss Amt. in this column 2-70-3 Numping for Jan. 1975 8922.50

If this has been noted since the first of month, please discount

BB 2-11-75

For Sale Drums, Barrels

SOUTH DAYTON DUMP & LAND FILL Old Trucks
Phone: 299-8891

Car and
Machinery

SITE—2055 Springbero Pike OFFICE—2708 Keritzer Rd. Moraine City, Ohio, 15439

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Hayton Powerstight of 1975
Pinchasing West Mar 1975
25 N. Main St. Mar 1980 3-3-75
Hayton Obio 45401

Statements rendered on or about the first of each month for all bilts whether due or not, for the purpose of comparison. Kindly advise of any errors or difference.

Date Due

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Dunying for Feb. 1975

B 920.00

If this has been paid since the first of month, please disregard

BB 33-14-25

3. Contitus.

DP&L_0002020

For Sale Drums, Barrels and Kenn

SOUTH DAYTON DUMP & LAND FILL

We Buy Old Trucke Car and Machinery

Phone: 299-8891 SITE—2000 Springboro Pike OFFICE—2708 Keritzer Rd. Moraine City, Ohio 45439

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Statements rendered on on about the first of each month for all bills whether due or not, for the purpose of comparison. Kindly advise of any errors or difference.

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Your Balance is the last Amt. in this column
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For Sale Drums, Borrels

SOUTH DAYTON DUMP & LAND FILL Priorie: 299-8891

Phone: 299-8891 SITE—2055 Springboro Pike OFFICE—2708 Keritzer Rd Moraine City, Ohio 45439 We Buy Old Trucks Car and Machinery

Statements repriesed on on about the first of each month for all bills whether due or not, for the purpose of comparison. Kindly advise of any errors or difference.

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5-20-8

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GEPARTMENT

PS-75

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If this has been paid nince the first of month, please disregard

For Sale Drums, Barrels and Keas

SOUTH DAYTON DUMP & LAND FILL

Phone: 299-8891 SITE-2055 Springboro Pike OFFICE-2708 Keritzer Rd. Moraine City, Ohio 45439 We Buy Old Trucks Car and Machinery

Purchasing Lyst Co. Dayton Brain St. Wayton Bhe 45401

Date Billed

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Statements rendered on on about the first of each month for all bills whether due or not, for the purpose of comparison. Kindly advise of any errors or difference.

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то:	1975 S	DAYTON BUI PRINGBORD CHIQ)02 ⁷	7			SENT TO: CC:	ND SHIP R. 9 U.P. ER. (PING PAPE KLEY LEE, VLLESI L. ROTH	JACKSE,
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PLEASE FURNISH THE ABOVE AS INDICATED, SUBJECT TO THE PROVISIONS HEREOF, INCLUDING THE TERMS AND CONDITIONS ON THE OTHER SIDE. (SEE OTHER SIDE)

DP&L_000203

SOUTH VALLON DUMP & DING THE Ve Buy Old Truck: Car and For Sale Darma, Berrols and Korps Phono: 299-8891 5176---2055 Springboro Pika 29108-2703 Koritzer Rd. Machinery Children City, Ohio 45439 il: ... DAYRON FORER & LIGHT COMMONY YUKUH BUTU DINT. Date Billed 25 W. 1000 S. Patrill . 7--2-76 Discoul, vario 45401 Statement's remiered on on shout the first of each a oath for all little abother due or not, for the purpose of consequences. Electly advise of any circle or differences. Your Relieves to the ita Dua lent Amt. in this column 7-20-46 10 # 0-- 452/1 -- 3 1010,00 Dumping For June: 1976 JUL 6 1976 ยบลอกสรีเทG

If this has been paid since the first of month, please disregard

DEPAREMENTS

For Sile Drums, Burrels and Kegs

SOUTH DAYTON DUMP & LAND FILL

Phone: 299-8891 SITE---2055 Springboro Pike

SITE-2055 Springboro Pike GDRCE-2708 Keritzer Rd. A., to Gily, Ohio 45439

We Buy Old Trucks Çar and Machinery

Purchaving Light Co Purchaving Light 25 n. main St Wanton Okio 45401

000059

Dute Billed

5-3-76

Statements rendered on or about the first of each month for all bills whether due or not, for the purpose of comparison. Kindly advise of any errors or difference.

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Your Balance is the last Amt. In this column

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If this has been paid since the first of month, please disregard

For Sale Drims, Barrels and Ways

FOUTH DAYTON LOTTER
Phone: 299-3871
SITE -- 2055 Springboro

SITE -2055 Springboro Pilio GRACE -2703 Kerdzer 2d. Marcha Chy, Ohio 45/39

We Buy Old Tricke Car and Machinery

Purchasing Hypt. 25 n. maist. Llay har Other 45 438 Date Billed

Statements rendered on on about the first of each month for all bills whether due or not, for the purpose of comparison. Kindly advise of any errors or difference.

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If this has been poid since the first of month, please disregard

For Sale Drime, Borrels and Keps SOUTH DAYTON DUMP & LAND FILL

Phone: 299-8891

SITE-2055 Springbora Pike OFFICE-2703 Kentzer Rd. Moraine City, Ohio 45439 We Buy Old Trucks Car and

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Haylor Parenty Hoto Purchasing Hayt Hoylor Hay Joyle

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Statements rendered on or about the first of each month for all bills whether due or not, for the purpose of any errors or difference.

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Pror Sale
Drums, Borrels SOUTH DAYTON DUMP & LAND FILL
and Kegs Cld Trucks Car and SITE-2055 Springboro Pike Office-2708 Keritzer Rd. 000032 Moraine City, Ohio 45439 Dete Billed ~ / / 576 or about the first of each month for all bills whether due or not, for the purpose of comparison. Kindly advise of eny errors or difference. Your Balance is the Date Due RECEIVED 1976 50 VOW Enucy: If this has been paid since the first of month, please disregard

DP&L_0002030

For Sale Drums, Barrels and Keys SOUTH DAYTON DUMP & LAND HILL

Phone: 299-8891 SITE—2055 Springboro Pike OFFICE—2708 Keritzer Rd. Moraine City, Ohio 45439 We Buy Old Trucks "Car and Machinery

Dayton Power & Light Co. Purchasing Dept. 25 N. Main St. Dayton Chio 45401 000033

Dote Billed 12/3/76

Statements rendered on or about the first of each month for all bills whether due or not, for the purpose of comparison. Kindly advise of any errors or difference.

Date Due		Your Balance is the last Amt. In this column	_
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For Sale Drums, Barrely and Kegs

SOUTH DAYTON DUMP & LAND FILL Phone: 299-8891

SITE—2055 Springbero Pike OFFICE—2708 Keritzer Rd. Moraine City, Ohio 45439 We Buy Old Trucks Car and Machinery

Purchasing Dyet. 25 M. Main St. Dayton Ohio 45-401 000034

Date Billed

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Statements rendered on or about the first of each mouth for all bills whether due or not, for the purpose of comparison, Kindly advise of any errors or difference.

Peter Due

P. C. # 5/097-B

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Lumping for Mec. 1976

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P-1-24-77

If this has been paid since the first of month, please disregard

SOUTH DAYTON DUMP & LAND FILL

Phone: 197-8891

SITE -2055 Springbord Pike

Ort-CE-2708 Kerntaer Rd,

Moraine City, Ohio 45439

980000

Dayton Fower & Light Co. Furchesing Dept. 25 N. Anim St. 2. ptum Chic 454/1
Atins V. . Drife

Da or Sion

At of Can. 1,1977, the new rate for the disposing of the (fly seh, of the broken concrete, dirt,blocketer,) from your repair crews will be \$1600.00 ler. ...

11st Purishment

Alcine Grillot

South Dayton Lang. L mafill

RECTION.

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EXHIBIT C

Transcript of deposition of Charles Fields in Response to Question No. 16(r).

Page 1

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

* * *

HOBART CORPORATION, et al.,
Plaintiffs,

vs.

CASE NO. 3:13-cv-00115-WHR

THE DAYTON POWER AND LIGHT COMPANY, et al.,

Defendants.

* * *

Deposition of CHARLES FIELDS, Witness herein, called by the Plaintiffs for direct examination pursuant to the Rules of Civil Procedure, taken before me, Michelle A. Elam, a Notary Public in and for the State of Ohio, at the offices of Sebaly, Shillito + Dyer, 1900 Kettering Tower, 40 North Main Street, Dayton, Ohio, on Wednesday, the 21st day of May, 2014, at 9:02 a.m.

* * *

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APPEARANCES: (Cont'd.)
On behalf of the Defendant Waste Management of
                          EXAMINATION CONDUCTED PAGE
  1
  2
            BY MR. SILVER:
  3
                                                                                                                         Quarles & Brady
                            EXHIBITS MARKED
  4
                                                                            PAGE
                                                                                                                     By William H Harbeck (Telephonically)
                                                                                                                         Attorney at Law
411 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-4497
  5
            (Thereupon, Fields Exhibit Number 1 23
            was marked for purposes of
   6
                                                                                                                         414-277-5000
  7
            identification.)
                                                                                                                     On behalf of the Defendant P-Americas, LLC.
  8
            (Thereupon, Fields Exhibit Number 2 32
  9
            was marked for purposes of
                                                                                                                     By Steven A. Luxton (Telephonically)
Attorney at Law
1111 Pennsylvania Avenue, NW
Washington, DC 20004
202-739-5779
10
            identification.)
                                                                                                          10
            (Thereupon, Fields Exhibit Number 3 34
11
12
                                                                                                          11
            was marked for purposes of
13
            identification.)
                                                                                                          12
                                                                                                                     On behalf of the Defendant The Dayton Power
            (Thereupon, Fields Exhibit Number 4 70
14
                                                                                                                     and Light Company:
Bricker & Eckler
1.5
            was marked for purposes of
                                                                                                          15
                                                                                                                     By: Anthony M Sharett
                                                                                                                    By: Antonory or Janes
Attorney at Law
100 South Third Street
Columbus, Ohio 43215
614-227-2300
On behalf of the Defendant Bridgesione
Americas Tire Operations, LLC:
16
            identification.)
                                                                                                          16
17
            (Thereupon, Fields Exhibit Number 5 73
18
            was marked for purposes of
                                                                                                          18
19
            identification.)
                                                                                                          19
20
                                                                                                                        Wactor & Wick LLP
                                                                                                          20
21
                                                                                                                     By: Anna L. Nguyen (Telephonically)
Attorney at Law
180 Grand Avenue
Suite 950
                                                                                                          21
22
23
                                                                                                          22
                                                                                                                        oune 950
Oakland, California 94612
510-465-5750
24
25
                                                                                   Page 2
                                                                                                                                                                                          Page 4
                                                                                                                   APPEARANCES. (Confd.)
On behalf of the Defendant Dayton Board of
          APPEARANCES:
            On behalf of the Plaintiffs:
Langsam Stevens Silver & Hollaender
By: Larry Silver
                                                                                                                       Subashi & Wildermuth
                Attorney at Law
1818 Market Street, Suite 3400
                                                                                                                    By. Andrew E. Rudloff (Telephonically)
Attorney at Law
The Greene Town Center
50 Chestout Street, Suite 210
Dayton, Ohio 45440
937-427-8800
   5
                Philadelphia, Pennsylvania 19103
215-732-3255
            On behalf of the Defendant Cox Media Group
                                                                                                                     On behalf of the Defendant Day International,
                Faruki Ireland & Cox., P.L.L.
   9
             By: Erin E. Rhinehart
                                                                                                                        McDonald Hopkins LLC
                Attorney at Law
500 Courthouse Plaza, SW
10 North Ludlow Street
 10
                                                                                                                     By Theodore J. Esborn (Telephonically)
                                                                                                          11
                                                                                                                        Attorney at Law
600 Supenor Avenue, East
 11
                Dayton, Ohio 45402
937-227-3719
                                                                                                                        Suito 2100
Cleveland, Ohio 44114
216-348-6400
                                                                                                          12
            On behalf of the Defendant Franklin Iron &
 13
                                                                                                                     On behalf of the Defendant ConAgra Grocery
Products Company
             Metal Corporation:
 14
                Crehan & Thumann, LLC
                                                                                                                        McGrath North
 15
                                                                                                          16
                                                                                                                    By. John A Andreasen (Telephonucally)
Attorney at Law
First National Tower
Suite 3700
            By: Robert A. Florez (Telephonically)
                Attorney at Law
1206 Race Street
Cincinnati, Ohio 45202
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 17
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                                                                                                                       June 3 /00
1601 Dodge Street
Omaha, Nebraska 68102
402-341-3070
                                                                                                          19
 18
             On behalf of the Defendant Pharmacia, LLC, a
                                                                                                          20
 19
                                                                                                                     On behalf of the Defendant DAP Products, Inc.
            Delaware Limited Liability Company:
            Krieg DeVault, LLP
By: Vicki J. Wright (Telephonically)
                                                                                                          21
 21
                                                                                                                       Calfee, Halter & Gnswold LLP
                Attorneys at Law
One Indiana Square, Suite 2800
Indianapolis, Indiana 46204
317-238-6372
                                                                                                          22
 22
                                                                                                                     By Ronald M McMillan (Telephonically)
                                                                                                                       Attorney at Law
The Calfee Building
1405 East Sixty Street
Cleveland, Ohio 44114-1607
216-622-8334
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2 (Pages 2 to 5)

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APPEAR ANCES (Cont'd )
                                                                     they'll be sequentially. I'll ask you, you
  2
        On behalf of the Defendants Bradford Soap
                                                                2
                                                                     answer, then I'll follow-up with more
        International, Inc., Cargill, Inc., and Hewitt
Soap Works, Inc., Newmark, LLC, and Van Dyne
  3
                                                                3
                                                                     questions. Other attorneys may have a chance
                                                                4
                                                                     to ask you questions as well if they would like
  4
          Van Kley & Walker, LLC
                                                                     after I've finished.
  5
                                                                6
                                                                             Have you ever been in a situation
        By: Jack Alten Van Kley (Telephonically)
  6
          Attorney at Law
132 Northwoods Boulevard
                                                                7
                                                                     like this before?
                                                                8
                                                                             MR. SHARETT: Objection. Do you mean
  7
          Columbus, Ohio 43235
                                                               9
                                                                     deposed before?
          614-431-8900
                                                              10
                                                                             MR. SILVER: Yeah. That's what I
        On behalf of the Defendant Sherwin-Williams
                                                              11
                                                                     meant.
        Company:
10
                                                              12
                                                                             MR. SHARETT: It was unclear. So --
          Gallagher Sharp
                                                              13
                                                                             THE WITNESS: No.
11
        By: Erik J. Wincland (Telephonically)
                                                              14
                                                                          O. Have you ever testified in court
          Attorney at Law
420 Madison Avenue, Suite 1250
Toledo, Ohio 43604
12
                                                              15
                                                                     before?
13
                                                              16
                                                                          A. No.
          419-241-4863
14
                                                              17
                                                                          Q. So this is new - all new to you,
                                                              18
                                                                     this kind of a question-and-answer period?
15
                                                              19
                                                                          A. True. Yes.
 16
17
18
19
                                                              20
                                                                          Q. Well, one of the important things
                                                              21
                                                                     for the court reporter is that you answer your
20
21
22
                                                              22
                                                                     questions out loud, even a yes or no answer.
                                                              23
                                                                     She will be putting everything down. And if
                                                              24
                                                                     you - if you just shake your head, she may
24
                                                              25
                                                                     miss it. So can you remember to answer your
                                                                                                              Page 8
                                                 Page 6
 1
                 CHARLES L. FIELDS
                                                               1
                                                                     questions out loud?
 2
      of lawful age, Witness herein, having been first
                                                               2
                                                                          A. Yes, sir.
 3
      duly cautioned and swom, as hereinafter
                                                               3
                                                                          Q. That was a test. Some of these
      certified, was examined and said as follows:
 4
                                                                4
                                                                     questions you may not know the answer to. It's
 5
                 CROSS-EXAMINATION
                                                               5
                                                                     okay that if you don't know, just say you don't
 6
      BY MR. SILVER
                                                                6
                                                                     know. If you don't remember something, that's
 7
                                                               7
           Q. Good morning, Mr. Fields. My name
                                                                     totally acceptable.
                                                                             I may not be clear about my question.
 8
      is Larry Silver. I'm an attorney and I
                                                               8
      represent three companies, Hobart, NCR, and
                                                               9
                                                                     That would be my fault. If you don't understand
10
      TRW. We're involved in a cleanup at the South
                                                              10
                                                                     my question, just ask me to clarify it and I will
11
      Dayton Dump & Landfill in Moraine, Ohio.
                                                              11
                                                                     do so, repeat it or rephrase it.
12
              I'm going to ask you some questions
                                                              12
                                                                          A. Yes.
13
      about your employment during the time you've been
                                                              13
                                                                          Q. If you don't hear it, just ask me
14
      working for DP&L. I understand you're still an
                                                              14
                                                                     to say it again. And it's okay to ask for
15
      employee of DP&L?
                                                              15
                                                                     breaks. I don't think this is going to go too
16
           A. Yes, sir.
                                                              16
                                                                     long; but for whatever reason, if you need a
17
                                                              17
           Q. And can you tell me what your
                                                                     break, just let us know.
18
                                                              18
                                                                          A. Yes.
      address is, please?
19
           A.
                                                              19
                                                                          Q. Tell me, what's your date of
                NON
20
           Q. In Dayton?
                                                              20
                                                                     birth.
21
                                                              21
           A. Dayton.
22
                                                              22
                                                                          Q. That would make you about a few
           Q. So what we're going to do is we're
23
                                                              23
                                                                     years older than me. Okay. And let me -
      going to have sort of a question-and-answer
                                                              24
                                                                     where did you go to school?
24
      period. I'm going to ask you questions. I'm
                                                                          A. Here in Ohio.
25
      going to ask you to answer the questions. And
                                                              25
                                                 Page 7
                                                                                                              Page 9
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3 (Pages 6 to 9)

4 (Pages 10 to 13)

nobare co	reporation, et al. v. The Dayton Power & Light Co., et al.	,	Charles Fis
1	A. All over the plant.	1	A. Yes, sir.
2	Q. Tell me a little bit about the	2	MR. SHARETT: Objection. Objection.
3	plant. What did it have in there?	3	You can answer.
4	A. Not that I knew much about that.	4	Q. He already answered. You're doing
5	It was just boilers, big furnaces.	5	fine. Don't worry. He's allowed to object.
6	Q. Say that again. I didn't hear	6	So you would pick up trash. How
7	you.	7	would you get it to the dumpster? Would you hav
8	A. It was boilers, furnace, you know,	8	a truck or carry it by yourself?
9	I guess they processed the coal.	9	MR. SHARETT: Objection to the form
10	Q. Processed coal. You used some	10	of the question.
11	words I didn't understand, baller?	11	Q. Go ahead. You can answer.
12	A. A boiler. It was a boiler.	12	A. Just put it in a trash bag and
13		1 13	dump it in the dumpster.
14	That's what they call them, a boiler.	14	•
15	Q. What's a baller?	15	Q. And that was a daily job for you
	A. Boiler. Steam water. To make	1	when you were a janitor at Longworth?
16	water out of it.	16	A. Yes.
17	Q. A boiler,	17	Q. I'm going to ask a lot of
18	A. A boiler. Yeah.	18	questions about trash and how things got to
19	Q. Was there a cafeteria there?	19	where they went. So just go ahead and answer
20	A. No.	20	the best you can,
21	Q. Was there an office?	21	And when you were at Longworth as a
22	A. Yes.	22	janitor for those couple years or year, how did
23	Q. How big was the office? How many	23	the do you know how the dumpster was emptied
24	rooms?	24	A. No.
25	A. Oh, it was two rooms.	25	Q. Do you know who
	Page 14	<u> </u>	Page 1
1	Q. Okay. And there were bathrooms?	1	A. I wasn't
2	A. Yes.	2	O. Go ahead.
3	Q. Were there - I suppose there were	3	A. I wasn't concerned.
4	receptacles for trash in the office?	4	Q. That's not something you were
5	A. Trash cans.	5	aware of?
6	Q. Also in the bathroom?	6	A. No.
7	A. Yes.	7	Q. Do you know if somebody came by i
8	Q. Where else were there trash cans	8	a truck to pick up the dumpster?
9	around Longworth?	و	A. No.
10	A. All over the plant. Operator's	10	Q. Really?
11	table. Just station just trash cans.	11	A. Well, probably did, but I didn't
12	Q. What kind of stuff went into the	12	pay no attention to it. I was just doing my
13	trash cans at Longworth?	13	duties.
14	A. Paper towels, cups, everything.	14	(Thereupon, an off-the-record
15	O. General trash?	15	discussion was had.)
16	A. General trash.	16	Q. Now, when you at some point,
17	Q. Then when you picked up the trash	l .	you moved from the janitor position at
18	cans, where did you put it, into another	18	Longworth to some other position, right?
19	receptacle?	19	A. Correct.
20		20	O. What was that?
	A. Put it into a dumpster.	21	•
21	Q. Where was the dumpster located?		A. Truck driver.
22	A. Outside.	22	Q. How did it how did it happen
23	Q. And that was your typical pattern	23	that you became the truck driver?
24	when you were working as a janitor at	24	A. The other gentleman retired and
25	Longworth? Page 15	25	there was an opening in the plant and it was a Page 1

5 (Pages 14 to 17)

1	process of being on the property, you had first	1	A. Yes:
2	pick of the jobs		Q. Is that the DP&L service building?
3	Q. Okay.	3	A. Yes.
4	A besides going outside the	4	Q. So the Broadway Dump was right
5		5	across the street from the DP&L service
6	company.	6	
	Q. Do you remember the name of the	i	building?
7	gentleman that retired from truck driver?	7	A. Yes.
8	A. Mr. Thomas. Herring Thomas.	8	Q. And Mr. Thomas, did he take you
9	Q. Do you have an understanding how	9	down to the Broadway Dump to show it to you
0	long he had the job as truck driver?	10	A. Yes.
1	 A. He must have been there as long as 	11	Q. In the truck?
2	I been there. I guess. He was an older	12	A. Yes.
3	gentleman.	13	Q. Can you describe the truck that
4	Q. That's why he retired?	14	Mr. Thomas drove you in?
5	A. Right.	15	A. A tandem wheeled dump truck. A
6	Q. So I'm guessing he's no longer	16	real large dump truck with a dump bed on the
7	alive?	17	back of it. GMC.
8	A. No. No.	18	
			Q. A GMC tandem wheeled dump truck
9	Q. You know he's passed away?	19	A. Uh-huh.
0	A. Yes, sir.	20	Q. Do you know what the tonnage was?
1	Q. And so you became did he train	21	A. Not right off. It was all green
2	you?	22	to me. I was just coming from no.
3	A. Yes.	23	Q. Did you learn at some point what
4	Q. And what did he train you? What	24	the tonnage was?
5	was the process of training you?	25	A. Didn't stay long enough.
	Page 18	ļ	Page
1	A. The location of the dump and the	1	Q. Approximately? Do you have an
2		2	approximation of the tonnage?
_	process of getting the flash out of the		approximation of the tollitage:
2		1	
3	conveyor.	3	MR, SHARETT: Objection. He's asked
4	conveyor. Q. Okay. And what dump did he did	3 4	MR. SHARETT: Objection. He's asked and answered that question.
4 5	conveyor. Q. Okay. And what dump did he did he show you?	3 4 5	MR. SHARETT: Objection. He's asked and answered that question. MR. SILVER: No. This is the first
4	conveyor. Q. Okay. And what dump did he did	3 4 5 6	MR. SHARETT: Objection. He's asked and answered that question. MR. SILVER: No. This is the first time I asked for an approximation.
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4 5 6	conveyor. Q. Okay. And what dump did he did he show you? A. The Broadway Dump. South Dayton, I guess.	3 4 5 6	MR. SHARETT: Objection. He's asked and answered that question. MR. SILVER: No. This is the first time I asked for an approximation.
4 5 6 7	conveyor. Q. Okay. And what dump did he did he show you? A. The Broadway Dump. South Dayton, I guess. Q. Broadway Dump and South Dayton	3 4 5 6 7	MR. SHARETT: Objection. He's asked and answered that question. MR. SILVER: No. This is the first time I asked for an approximation. MR. SHARETT: Objection to the form
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4567890123456789012	conveyor. Q. Okay. And what dump did he did he show you? A. The Broadway Dump. South Dayton, I guess, Q. Broadway Dump and South Dayton Dump, in your mind, are the same? A. As far as I recollect, I think they are. Q. And you used to call it the Broadway Dump? A. Uh-huh. Q. Is that right? A. I guess that's that's the terminology they told me it was. Q. Okay. And where was the Broadway Dump? A. On Dryden Road. Q. Where on Dryden Road? A. It must be 1800 Dryden Road	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR. SHARETT: Objection. He's asked and answered that question. MR. SILVER: No. This is the first time I asked for an approximation. MR. SHARETT: Objection to the form of the question. MR. SILVER: I understand your objection. Q. Approximation of the tonnage of the truck? A. Four tons. Q. Four tons? A. Maybe. Uh-huh. Q. Now, what color was it, did you say? I thought I heard you say something, but I wasn't sure. A. Some Army green. It was an ugly color DP&L had at the time. It was camouflage like military vehicles used to be. Very ugly color.
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4567890123456789012	conveyor. Q. Okay. And what dump did he did he show you? A. The Broadway Dump. South Dayton, I guess, Q. Broadway Dump and South Dayton Dump, in your mind, are the same? A. As far as I recollect, I think they are. Q. And you used to call it the Broadway Dump? A. Uh-huh. Q. Is that right? A. I guess that's that's the terminology they told me it was. Q. Okay. And where was the Broadway Dump? A. On Dryden Road. Q. Where on Dryden Road? A. It must be 1800 Dryden Road	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR. SHARETT: Objection. He's asked and answered that question. MR. SILVER: No. This is the first time I asked for an approximation. MR. SHARETT: Objection to the form of the question. MR. SILVER: I understand your objection. Q. Approximation of the tonnage of the truck? A. Four tons. Q. Four tons? A. Maybe. Uh-huh. Q. Now, what color was it, did you say? I thought I heard you say something, but I wasn't sure. A. Some Army green. It was an ugly color DP&L had at the time. It was camouflage like military vehicles used to be. Very ugly color.

6 (Pages 18 to 21)

1	A. Yes.	1	train you on how to drive the truck?
2	Q. Was it your understanding that	2	A. Correct.
3	that was the color that DP&L used for its	3	Q. Was it the same truck that we've
4	vehicles?	4	been discussing that he drove the next year o
5	A. Yes.	5	so or two at for Longworth?
6	Q. This would have been about 1965?	6	A. Yes.
7	A. '65, '66.	7	Q. Okay. So that became your truck?
-8	Q. Did the particular dump truck that	8	A. Correct.
9	Mr. Thomas drove you in have any insignia on	9	Q. Did anyone else drive the truck
١٥	it?	10	
1			while you - while you had it after Mr. Thom
	A. A logo.	11	trained you?
12	Q. And what was the logo?	12	A. No, sir. It was all me.
13	A. Like a little V with a circle. It	13	Q. During the time -
4	had Dayton Power and Light Company written on	14	A. During the time I was at
.5	the outside, if I remember correctly. It was a	15	Longworth.
6	little round logo.	16	Q. While we're on the subject, who
.7	Q. Do you think if I asked you to	17	did you hand it off to? Who was the next
8	draw it, you could do so?	1.8	driver?
9	A. I could scribble down something.	19	A. It was an Nathaniel Williams.
20	Q. I'll give you a little piece of	20	Q. Nathaniel Williams?
21	yellow lined paper and a pen and ask you to	21	A. Uh-huh.
22	draw the logo for me.	22	Q. Do you know how long do you
23		23	happen to know how long he drove the truck
24	A. (Witness complies with request.)		••
	Similar to that.	24	A. He didn't stay long. He followed
25	MR. SILVER: We're going to mark this Page 22	25	me after I left because we all wanted to get Page 2
1	as Fields Exhibit 1. I'll ask the court reporter	1	out of the power plant.
2	to do that.	2	Q. He didn't stay long after you
3	(Thereupon, Fields Exhibit Number 1	3	A. Uh-huh.
4	was marked for purposes of identification.)	4	MR. SHARETT: Wait until he's
5	(Thereupon, an off-the-record	5	finished asking the question.
6	discussion was had.)	6	Q. He's right. We're supposed to
7	Q. Okay. Mr. Fields, I'm putting in	7	take turns. I forgot to even mention this at
8	front of you your drawing which we marked as	8	the beginning. We should wait until I finish
9		9	
	Exhibit 1. What part of the truck that we've		and then you start and then I'll wait for you
.0	been discussing was the was this logo?	10	to finish and then I'll go again. That makes
. 1	A. On the door.	11	it easier for her.
. 2	Q. On the driver's door?	12	Do you remember any other drivers
. 3	A. Driver's door.	13	who drove the Longworth truck that we've be
. 4	Q. Was it also on the passenger door?	14	talking about?
. 5	A. Yes,	15	 A. Not that I can recall. Nope.
. 6	Q. Both?	16	Q. How about a John Davis?
.7	A. Yes.	17	A. He worked there. But I don't
. 8	Q. Any other place on the truck?	18	know
9	A. No.	19	Q. You remember him working at
20	O. The rest of that truck was sort of	20	Longworth?
21	that Army camouflage green?	21	A. Yeah. I remember.
-	A. Yeah. It had a truck number on	22	O. But you don't remember him driving
2	·	23	the truck?
2	it but I don't remember the truck number !		tut vidta.
23	it, but I don't remember the truck number.		
	it, but I don't remember the truck number. Q. Now, after Mr. Thomas drove you to the Broadway Dump in the truck, did he also	24 25	A. No. Q. Do you know the name Ed Jackson?

7 (Pages 22 to 25)

	rporation et al. v. The Dayton Power & Light Co., et al.		Charles Field
. 1	A. Ed Jackson, 1 remember an Ed	; ; 1	the was in the control room. Was there a
2	Taylor but not an Ed Jackson.	2	control room? What would it have been?
3	Q. You remember an Ed Taylor but not	3	A. There was like a desk where they
4	an Ed Jackson?	4	had a lot of panels, and he was just an
5	A. Ed Jackson.	5	operator.
6		6	•
7	Q. Who was Ed Taylor?	7	Q. All right. So I'm interested in
1	A. He was a worked at the plant.	!	talking about you driving the dump truck that
8	Q. At Longworth or	8	we've been discussing. Tell me what your daily
9	A. No, at Longworth. That was the	9	routine was while you were driving the dump
10	only Ed I knew at the plant.	10	truck for Longworth,
11	Q. Okay. Got it. Did you have a	11	A. Like my procedure in the morning?
12	supervisor at Longworth while you were a	12	Q. Yeah. Just pretty much what you
13	janitor?	13	did. You got to work. Until you left work,
14	A. Yes.	14	give me sort of a summary of what you did on a
15	Q. And who's your supervisor?	15	daily basis.
16	A. I'm getting my foremens mixed up.	16	A. Fired the truck up, check it out,
17	I want to say it was a Mr. Webster was the	17	make sure it was operable to do my job. Load
18	superintendent, I think.	18	up, take it to the Broadway Dump, dump it,
19	Q. Do you remember his first name?	19	empty it, drive it back, fill it back up again,
20	A. No, sir. I got a visual on him,	20	take it back down to Broadway, dump it. At the
21	but I can't remember his name.	21	end of the day, cleaned it up, rinsed it down.
22		22	That was it.
23	Q. What about the foremens? Do you	23	
1	remember any of the foremen's names?	1	Q. Okay. And how many times a day
24	A. Ted Gillespie. I might be	24	typically did you fill the truck up and drive
25	pronouncing it wrong.	25	it to Broadway?
ļ <u> </u>	Page 26		Page 28
1	Q. Gillespie?	1	A. Average five to four to five
2	A. Gillespie.	2	times a day.
3	Q. Does that sound right?	3	Q. And did you work weekdays?
4	A. Yeah. It was a funny last name.	4	A. No.
5	Q. Okay. Do you remember a Paul	5	Q. What was your shift?
6	Reaneke?	6	A. I thought it was 7:00 to 3:30, if
7		7	I remember correctly. It may have been 7:30
	A. Yes, sir. That name yes.	8	to I know I got off at 3:30. 7:00 to 3:30.
8	Q. Was he one of your supervisors?	9	
9	A. Yes, sir.		Q. 7:00 a.m. to 3:30 p.m.?
10	Q. What was his role, if you can	10	A. Yes.
11	recall?	11	Q. What days?
12	A. I think he was over the plant.	12	A. Monday through Friday.
13	Q. Over the whole plant, Longworth?	13	Q. Oh, so did you work weekdays? You
14	A. I think he was a foreman over the	14	worked during the weekdays, not the weekend?
15	plant.	15	A. No weekends.
16	Q. Do you remember a David	16	Q. Okay. I just wanted to clarify
17	Shellhouse?	17	that. Did anyone else drive the truck on the
18	A. Yes.	18	weekends?
19	Q. And what was his position?	19	A. Nope.
20	A. I think he was an operator.	20	Q. So all of the fly ash hauling by
21	Q. What is an operator?	21	you was weekdays?
22	A. Took care of making the you	22	A. Weekdays.
23	know, up on the operator's floor. He was an	23	Q. And while you worked there, all of
	• •	24	the fly ash hauling was just on the weekdays by
24	operator.		• • •
25	Q. This was somebody who operated	25	you?
,	Page 27		Page 29

8 (Pages 26 to 29)

1	A. Correct.	1	fly ash and water?
2	Q. You didn't have a substitute	2	A. And water,
3	driver?	3	Q. Anything else?
4	A. No.	4	A. No. Not to my knowing.
5	Q. What about when you went on	5	Q. Did any other kind of material go
6	vacation?	6	into your truck other than the fly ash water
7	A. It wasn't no problem of mine. I	7	blend?
8	guess they had a substitute, I guess, but I	8	A. Not in my time.
9	didn't know who.	9	Q. All right. Now, what was your
10	Q. At this point, you don't remember	10	route from Longworth to the Broadway dump
11	who that was?	11	A. Do you know where Chaminade chapel
12	A. No.	12	Julienne High School is at on Ludlow Street?
13	Q. All right. You told me, you	13	Q. Yes, I do.
14	mentioned that part of this routine was	14	A. You went out the gate. I want to
15	loading. Can you describe how you loaded the	15	say that's Franklin Street, Franklin down to
16	truck or how the truck was loaded, I guess, is	16	Ludlow Street, headed south down to Patterson
17	the better way because I'm not tell me who	17	Road. I went down Patterson by Carillon Bells,
18	was involved and what happened?	18	make that right turn by the bells, go through
19	A. I wasn't involved. There was this	19	the 75 underpass and hit Dryden Road, make a
20	conveyor and it was:a mixture of the fly ash	20	right turn on Dryden Road and a left turn to
21	coming out from the chute and you blend it with	21	the dump.
22	water so it wouldn't be all that dusty and	22	Q. Let me show you let's show you
23	flaky and you make a process and you would mix	23	this first. Make this as Exhibit 2.
24	it up and deliver it to the dump.	24	
25	Q. Who was involved in that process?	25	(Thereupon, Fields Exhibit Number 2
23	Page 30	23	was marked for purposes of identification.) Page 3
1	A. Just myself.	1	Q. The same thing we put in front of
2		-	Q. The same thing we put in from or
	() Von could do it all by yourself?	2	you is Exhibit 2 Mr. Fields Does this
	Q. You could do it all by yourself?	2	you is Exhibit 2, Mr. Fields. Does this
3	A. All by myself.	3	building look familiar to you?
3 4	A. All by myself. Q. There wasn't somebody else working	3 4	building look familiar to you? A. I guess.
3 4 5	A. All by myself. Q. There wasn't somebody else working the conveyor belt?	3 4 5	building look familiar to you? A. I guess. Q. Can you identify it for me?
3 4 5 6	 A. All by myself. Q. There wasn't somebody else working the conveyor belt? A. No, sir. You had the gauges and 	3 4 5 6	building look familiar to you? A. I guess. Q. Can you identify it for me? A. Well, Ray Charles might do better
3 4 5 6 7	A. All by myself. Q. There wasn't somebody else working the conveyor belt? A. No, sir. You had the gauges and the little levers and you just set them and you	3 4 5 6 7	building look familiar to you? A. I guess. Q. Can you identify it for me? A. Well, Ray Charles might do better than me, but
3 4 5 6 7 8	A. All by myself. Q. There wasn't somebody else working the conveyor belt? A. No, sir. You had the gauges and the little levers and you just set them and you go about your day.	3 4 5 6 7 8	building look familiar to you? A. I guess. Q. Can you identify it for me? A. Well, Ray Charles might do better than me, but MR, SHARETT: I don't want you
3 4 5 6 7 8 9	A. All by myself. Q. There wasn't somebody else working the conveyor belt? A. No, sir. You had the gauges and the little levers and you just set them and you go about your day. Q. And what were the gauges?	3 4 5 6 7 8 9	building look familiar to you? A. I guess. Q. Can you identify it for me? A. Well, Ray Charles might do better than me, but MR. SHARETT: I don't want you guessing. Only if you know.
3 4 5 6 7 8 9	A. All by myself. Q. There wasn't somebody else working the conveyor belt? A. No, sir. You had the gauges and the little levers and you just set them and you go about your day. Q. And what were the gauges? A. Antique. Very old.	3 4 5 6 7 8 9	building look familiar to you? A. I guess. Q. Can you identify it for me? A. Well, Ray Charles might do better than me, but MR. SHARETT: I don't want you guessing. Only if you know. THE WITNESS: This is the structure
3 4 5 6 7 8 9 10	A. All by myself. Q. There wasn't somebody else working the conveyor belt? A. No, sir. You had the gauges and the little levers and you just set them and you go about your day. Q. And what were the gauges? A. Antique. Very old. Q. What were the gauges measuring?	3 4 5 6 7 8 9 10	building look familiar to you? A. I guess. Q. Can you identify it for me? A. Well, Ray Charles might do better than me, but MR. SHARETT: I don't want you guessing. Only if you know. THE WITNESS: This is the structure that was there.
3 4 5 6 7 8 9 10 11	A. All by myself. Q. There wasn't somebody else working the conveyor belt? A. No, sir. You had the gauges and the little levers and you just set them and you go about your day. Q. And what were the gauges? A. Antique. Very old. Q. What were the gauges measuring? A. They had a screw-on valve for the	3 4 5 6 7 8 9 10 11	building look familiar to you? A. I guess. Q. Can you identify it for me? A. Well, Ray Charles might do better than me, but MR. SHARETT: I don't want you guessing. Only if you know. THE WITNESS: This is the structure that was there. Q. What structure are you referring
3 4 5 6 7 8 9 10 11 12 13	A. All by myself. Q. There wasn't somebody else working the conveyor belt? A. No, sir. You had the gauges and the little levers and you just set them and you go about your day. Q. And what were the gauges? A. Antique. Very old. Q. What were the gauges measuring? A. They had a screw-on valve for the water mixture to come in, and then there was a	3 4 5 6 7 8 9 10 11 12 13	building look familiar to you? A. I guess. Q. Can you identify it for me? A. Well, Ray Charles might do better than me, but MR. SHARETT: I don't want you guessing. Only if you know. THE WITNESS: This is the structure that was there. Q. What structure are you referring to?
3 4 5 6 7 8 9 10 11 12 13	A. All by myself. Q. There wasn't somebody else working the conveyor belt? A. No, sir. You had the gauges and the little levers and you just set them and you go about your day. Q. And what were the gauges? A. Antique. Very old. Q. What were the gauges measuring? A. They had a screw-on valve for the water mixture to come in, and then there was a lever and you would get a blend coming in, like	3 4 5 6 7 8 9 10 11 12 13	building look familiar to you? A. I guess. Q. Can you identify it for me? A. Well, Ray Charles might do better than me, but MR. SHARETT: I don't want you guessing. Only if you know. THE WITNESS: This is the structure that was there. Q. What structure are you referring to? A. Longworth Street. Steam plant.
3 4 5 6 7 8 9 10 11 12 13 14 15	A. All by myself. Q. There wasn't somebody else working the conveyor belt? A. No, sir. You had the gauges and the little levers and you just set them and you go about your day. Q. And what were the gauges? A. Antique. Very old. Q. What were the gauges measuring? A. They had a screw-on valve for the water mixture to come in, and then there was a lever and you would get a blend coming in, like making flour, making a dough. That was the	3 4 5 6 7 8 9 10 11 12 13 14	building look familiar to you? A. I guess. Q. Can you identify it for me? A. Well, Ray Charles might do better than me, but MR. SHARETT: I don't want you guessing. Only if you know. THE WITNESS: This is the structure that was there. Q. What structure are you referring to? A. Longworth Street. Steam plant. Q. That's the steam plant where you
3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. All by myself. Q. There wasn't somebody else working the conveyor belt? A. No, sir. You had the gauges and the little levers and you just set them and you go about your day. Q. And what were the gauges? A. Antique. Very old. Q. What were the gauges measuring? A. They had a screw-on valve for the water mixture to come in, and then there was a lever and you would get a blend coming in, like making flour, making a dough. That was the procedure.	3 4 5 6 7 8 9 10 11 12 13 14 15 16	building look familiar to you? A. I guess. Q. Can you identify it for me? A. Well, Ray Charles might do better than me, but MR. SHARETT: I don't want you guessing. Only if you know. THE WITNESS: This is the structure that was there. Q. What structure are you referring to? A. Longworth Street. Steam plant. Q. That's the steam plant where you worked? It's a little dark so it's not
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. All by myself. Q. There wasn't somebody else working the conveyor belt? A. No, sir. You had the gauges and the little levers and you just set them and you go about your day. Q. And what were the gauges? A. Antique. Very old. Q. What were the gauges measuring? A. They had a screw-on valve for the water mixture to come in, and then there was a lever and you would get a blend coming in, like making flour, making a dough. That was the procedure. Q. You did the blending itself for	3 4 5 6 7 8 9 10 11 12 13 14 15 16	building look familiar to you? A. I guess. Q. Can you identify it for me? A. Well, Ray Charles might do better than me, but MR. SHARETT: I don't want you guessing. Only if you know. THE WITNESS: This is the structure that was there. Q. What structure are you referring to? A. Longworth Street. Steam plant. Q. That's the steam plant where you worked? It's a little dark so it's not A. A lot dark.
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. All by myself. Q. There wasn't somebody else working the conveyor belt? A. No, sir. You had the gauges and the little levers and you just set them and you go about your day. Q. And what were the gauges? A. Antique. Very old. Q. What were the gauges measuring? A. They had a screw-on valve for the water mixture to come in, and then there was a lever and you would get a blend coming in, like making flour, making a dough. That was the procedure. Q. You did the blending itself for the loads that went into your truck?	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. I guess. Q. Can you identify it for me? A. Well, Ray Charles might do better than me, but MR. SHARETT: I don't want you guessing. Only if you know. THE WITNESS: This is the structure that was there. Q. What structure are you referring to? A. Longworth Street. Steam plant. Q. That's the steam plant where you worked? It's a little dark so it's not A. A lot dark. Q. Yeah. I just pulled this off the
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	A. All by myself. Q. There wasn't somebody else working the conveyor belt? A. No, sir. You had the gauges and the little levers and you just set them and you go about your day. Q. And what were the gauges? A. Antique. Very old. Q. What were the gauges measuring? A. They had a screw-on valve for the water mixture to come in, and then there was a lever and you would get a blend coming in, like making flour, making a dough. That was the procedure. Q. You did the blending itself for the loads that went into your truck? A. Correct.	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. I guess. Q. Can you identify it for me? A. Well, Ray Charles might do better than me, but MR. SHARETT: I don't want you guessing. Only if you know. THE WITNESS: This is the structure that was there. Q. What structure are you referring to? A. Longworth Street. Steam plant. Q. That's the steam plant where you worked? It's a little dark so it's not A. A lot dark. Q. Yeah. I just pulled this off the internet. That's how I got it. Somebody had
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. All by myself. Q. There wasn't somebody else working the conveyor belt? A. No, sir. You had the gauges and the little levers and you just set them and you go about your day. Q. And what were the gauges? A. Antique. Very old. Q. What were the gauges measuring? A. They had a screw-on valve for the water mixture to come in, and then there was a lever and you would get a blend coming in, like making flour, making a dough. That was the procedure. Q. You did the blending itself for the loads that went into your truck? A. Correct. Q. And what was the goal of the	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. I guess. Q. Can you identify it for me? A. Well, Ray Charles might do better than me, but MR. SHARETT: I don't want you guessing. Only if you know. THE WITNESS: This is the structure that was there. Q. What structure are you referring to? A. Longworth Street. Steam plant. Q. That's the steam plant where you worked? It's a little dark so it's not A. A lot dark. Q. Yeah. I just pulled this off the internet. That's how I got it. Somebody had put a picture of it on the Internet so I just
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. All by myself. Q. There wasn't somebody else working the conveyor belt? A. No, sir. You had the gauges and the little levers and you just set them and you go about your day. Q. And what were the gauges? A. Antique. Very old. Q. What were the gauges measuring? A. They had a screw-on valve for the water mixture to come in, and then there was a lever and you would get a blend coming in, like making flour, making a dough. That was the procedure. Q. You did the blending itself for the loads that went into your truck? A. Correct. Q. And what was the goal of the blending? What sort of consistency were you	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. I guess. Q. Can you identify it for me? A. Well, Ray Charles might do better than me, but MR. SHARETT: I don't want you guessing. Only if you know. THE WITNESS: This is the structure that was there. Q. What structure are you referring to? A. Longworth Street. Steam plant. Q. That's the steam plant where you worked? It's a little dark so it's not A. A lot dark. Q. Yeah. I just pulled this off the internet. That's how I got it. Somebody had put a picture of it on the Internet so I just wanted to see if it looked familiar to you.
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. All by myself. Q. There wasn't somebody else working the conveyor belt? A. No, sir. You had the gauges and the little levers and you just set them and you go about your day. Q. And what were the gauges? A. Antique. Very old. Q. What were the gauges measuring? A. They had a screw-on valve for the water mixture to come in, and then there was a lever and you would get a blend coming in, like making flour, making a dough. That was the procedure. Q. You did the blending itself for the loads that went into your truck? A. Correct. Q. And what was the goal of the blending? What sort of consistency were you looking for?	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. I guess. Q. Can you identify it for me? A. Well, Ray Charles might do better than me, but MR. SHARETT: I don't want you guessing. Only if you know. THE WITNESS: This is the structure that was there. Q. What structure are you referring to? A. Longworth Street. Steam plant. Q. That's the steam plant where you worked? It's a little dark so it's not A. A lot dark. Q. Yeah. I just pulled this off the internet. That's how I got it. Somebody had put a picture of it on the Internet so I just wanted to see if it looked familiar to you. Now, we were talking about your
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. All by myself. Q. There wasn't somebody else working the conveyor belt? A. No, sir. You had the gauges and the little levers and you just set them and you go about your day. Q. And what were the gauges? A. Antique. Very old. Q. What were the gauges measuring? A. They had a screw-on valve for the water mixture to come in, and then there was a lever and you would get a blend coming in, like making flour, making a dough. That was the procedure. Q. You did the blending itself for the loads that went into your truck? A. Correct. Q. And what was the goal of the blending? What sort of consistency were you looking for? A. Not a slop, not a juice, but a	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. I guess. Q. Can you identify it for me? A. Well, Ray Charles might do better than me, but MR. SHARETT: I don't want you guessing. Only if you know. THE WITNESS: This is the structure that was there. Q. What structure are you referring to? A. Longworth Street. Steam plant. Q. That's the steam plant where you worked? It's a little dark so it's not A. A lot dark. Q. Yeah. I just pulled this off the internet. That's how I got it. Somebody had put a picture of it on the Internet so I just wanted to see if it looked familiar to you. Now, we were talking about your route to the Broadway Dump. I'm going to sho
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. All by myself. Q. There wasn't somebody else working the conveyor belt? A. No, sir. You had the gauges and the little levers and you just set them and you go about your day. Q. And what were the gauges? A. Antique. Very old. Q. What were the gauges measuring? A. They had a screw-on valve for the water mixture to come in, and then there was a lever and you would get a blend coming in, like making flour, making a dough. That was the procedure. Q. You did the blending itself for the loads that went into your truck? A. Correct. Q. And what was the goal of the blending? What sort of consistency were you looking for?	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. I guess. Q. Can you identify it for me? A. Well, Ray Charles might do better than me, but MR. SHARETT: I don't want you guessing. Only if you know. THE WITNESS: This is the structure that was there. Q. What structure are you referring to? A. Longworth Street. Steam plant. Q. That's the steam plant where you worked? It's a little dark so it's not A. A lot dark. Q. Yeah. I just pulled this off the internet. That's how I got it. Somebody had put a picture of it on the Internet so I just wanted to see if it looked familiar to you.

9 (Pages 30 to 33)

1	(Thereupon, Fields Exhibit Number 3	1	A. (Witness complies with request.)
2	was marked for purposes of identification.)	2	Q. Now show me where you think the
3	Q. Charles, here's the one with the	j 3	well, let's ask it this way. Do you have an
4	actual exhibit mark. Take a look at it and let	4	understanding of where you entered the dump of
5	me know if you can recognize recognize what	5	of Dryden Road when you were driving the dum
6	you're looking at.	. 6	truck?
7	A. Yeah. I guess that's an aerial	7	A. Is this an up-to-date picture?
8	shot.	8	Q. I believe so.
9	Q. Do you recognize the white	9	A. I don't think this building was
10	building right next to where it says Dryden	10	there. So it had to be right in this vicinity
11	Road in the photograph?	11	here (indicating).
12	A. Yes.	12	Q. Well, to the best of your
13	Q. Can you identify that building for	13	understanding, why don't you draw in where yo
14	me?	14	believe you entered off of Dryden Road. Put
15	A. It should be the service building.	15	enter. Maybe draw a circle and then put enter.
16	Q. DP&L service building?	16	A. (Witness complies with request.)
17	A. 1900.	17	Q. You drew an arrow and you wrote
18	Q. 1900 Dryden?	18	enter?
19	A. Should be.	19	A. Uh-huh.
20	Q. That's where you work now -	20	Q. And then you drew an arrow. Is
21	A. Correct.	21	the arrow the direction in which you drove into
22	O correct?	22	-
23	MR. SHARETT: Wait until he's	23	the dump, to the best of your understanding? A. Yes, sir.
24	finished asking the question before you answer.	24	Q. Now, when you drove into the dump,
25	THE WITNESS: Sorry.	25	tell me what happened when you were bringing Page 3
1	Q. Do you see where Dryden Road is on	1	the dump truck into the dump.
2	this map?	2	A. I waited till the man told me
3	A. Yes.	3	where to go.
4	Q. Can you identify for me where the	4	Q. So you met a man. You saw a man
5	Broadway Dump is?	5	there?
6	A. I want to say see the white	6	A. Yeah.
7	building by the other building?	7	Q. Who did you see?
8		8	A. There was two brothers that used
9	Q. I'm going to come around, if it's	9	to work there. He would spot me, he asked me
10	okay with Anthony.	10	what I had on the truck, and I'd tell him, then
	A. See where this white building,	11	
11	this building was at	12	he would show me where to dump.
12	Q. Uh-huh.	i	Q. So when he asked you what you had
13	A I want to say it's in the back	13	on the truck, what did you tell him?
14	here, right in that area (indicating).	14	A. What I had.
15	Q. Okay. We're going to need you to	15	Q. Excuse me?
16	draw on that and point out where	16	A. Fly ash.
	A. I never saw an aerial shot before	17	Q. And you mentioned two brothers.
17	so	18	Do you remember the name of the two brothers
18		19	 A. The one was Kenny. But I can't
18 19	Q. You're doing the best you can,)	
18 19 20	Q. You're doing the best you can, right?	20	remember. Bud and Kenny. I want to say Bud
18 19 20 21	Q. You're doing the best you can, right? A. Uh-huh.	20 21	and Kenny sound familiar.
18 19 20	Q. You're doing the best you can, right?	20	· · · · · · · · · · · · · · · · · · ·
18 19 20 21	Q. You're doing the best you can, right? A. Uh-huh.	20 21	and Kenny sound familiar.
18 19 20 21 22	Q. You're doing the best you can, right? A. Uh-huh. Q. Why don't you mark put an X on the white building that you referred to.	20 21 22	and Kenny sound familiar. Q. One was Kenny, and the other one
18 19 20 21 22 23	Q. You're doing the best you can, right? A. Uh-huh. Q. Why don't you mark put an X on	20 21 22 23	and Kenny sound familiar. Q. One was Kenny, and the other one was

10 (Pages 34 to 37)

1	Q. Almost fifty. Tell me - I'm	1	Q. Dump your load and then leave?
2	going to throw a last name out to you and let	2	A. Yes.
3	me know if that rings a bell. Grillot? Does	3	Q. And that would be four to five
4	the name Grillot mean anything to you?	4	times a day, you said?
5	A. No.	5	A. On an average.
6	Q. Now, do you remember one of the	6	Q. Could be more?
7	two men having been the mayor of Moraine?	7	 Not really. It was about routine.
8	A. Yes.	8	Four to five.
9	Q. How do you happen to remember	9	Q. Okay. Was there a gate to the
10	that?	10	dump?
11	A. Because he told me.	11	A. I guess there was.
12	O. One of them told you that?	12	Q. Do you remember a gate?
13	A. No. One of the other just	13	A. Not really.
14	that was their routine. The two brothers owned	14	MR. SHARETT: We don't want you
15	that lot over there.	15	
16			guessing.
	Q. But what about the mayor of	16	THE WITNESS: Well, no.
L7	Moraine, where did that come from?	17	Q. Do you have some memory of a gate,
18	A. That's what Mr. Thomas told me,	18	any kind of memory?
19	that he was the mayor of Moraine.	19	A. I really wasn't paying no
20	Q. Oh, all right. So one of the -	20	attention to no.
21	you would meet these two men, Kenny and Bud, at	21	Q. I'm going to ask you another
22	the dump?	22	question about the gate. That's why I was
23	A. They was there.	23	leading up to it. Do you remember whether yo
24	Q. And one of them would tell you	24	were given a key to the gate?
25	where to dump the fly ash?	25	A. No.
	Page 38		Page 4
1	A. Yes.	1	Q. You definitely were not given a
2	Q. And what sort of spots would they	2	key?
3	tell you to dump the fly ash in?	3	A. I didn't have a key.
4	A. I don't really know. That's where	4	Q. Do you know if anyone at DP&L had
5	they wanted it at.	5	a key to the gate?
6	Q. Was it usually at the bottom of a	6	A. No.
7	hill?	7	O. You don't know?
8		8	A. No.
	A. No. It was flat ground over	9	Q. I just wanted to—
9	there.		- •
.0	Q. Usually flat ground?	10	A. Yeah.
.1	A. Uh-huh.	11	Q. Now, when you were driving the
.2	Q. Always flat ground?	12	dump truck, when you're loading the dump truck
_	A. Where I dumped at because I didn't	13	did you typically load the truck till it was
.3		14	full?
. 4	want to get stuck. I seen a lot of people get		
	stuck, but I didn't.	15	A. Yes.
. 4		16	Q. So your loads to the Broadway Dump
. 4 . 5	stuck, but I didn't.		
. 4 . 5 . 6	stuck, but 1 didn't. Q. A lot of trucks got stuck there?	16	Q. So your loads to the Broadway Dump
. 4 . 5 . 6 . 7	stuck, but 1 didn't. Q. A lot of trucks got stuck there? A. Uh-huh. Q. But you were careful not to?	16 17	Q. So your loads to the Broadway Dump were typically full loads?
. 4 . 5 . 6 . 7	stuck, but 1 didn't. Q. A lot of trucks got stuck there? A. Uh-huh. Q. But you were careful not to? A. No. That's where they spotted me	16 17 18	Q. So your loads to the Broadway Dump were typically full loads? A. Yes.
. 4 . 5 . 6 . 7 . 8	stuck, but 1 didn't. Q. A lot of trucks got stuck there? A. Uh-huh. Q. But you were careful not to? A. No. That's where they spotted me at.	16 17 18 19	Q. So your loads to the Broadway Dump were typically full loads? A. Yes. Q. Now, was there any paperwork that you needed to deal with at the dump?
. 4 . 5 . 6 . 7 . 8 . 9	stuck, but 1 didn't. Q. A lot of trucks got stuck there? A. Uh-huh. Q. But you were careful not to? A. No. That's where they spotted me at. Q. All right. And your dump truck	16 17 18 19 20 21	Q. So your loads to the Broadway Dump were typically full loads? A. Yes. Q. Now, was there any paperwork that you needed to deal with at the dump? A. No.
. 4 . 5 . 6 . 7 . 8 . 9 . 20	stuck, but 1 didn't. Q. A lot of trucks got stuck there? A. Uh-huh. Q. But you were careful not to? A. No. That's where they spotted me at. Q. All right. And your dump truck had some kind of pneumatic lift on it?	16 17 18 19 20 21 22	Q. So your loads to the Broadway Dump were typically full loads? A. Yes. Q. Now, was there any paperwork that you needed to deal with at the dump? A. No. Q. No tickets of any kind?
.4 .5 .6 .7 .8 .9 20 21 22	stuck, but 1 didn't. Q. A lot of trucks got stuck there? A. Uh-huh. Q. But you were careful not to? A. No. That's where they spotted me at. Q. All right. And your dump truck had some kind of pneumatic lift on it? A. Yes.	16 17 18 19 20 21 22 23	Q. So your loads to the Broadway Dump were typically full loads? A. Yes. Q. Now, was there any paperwork that you needed to deal with at the dump? A. No. Q. No tickets of any kind? A. No.
. 4 . 5 . 6 . 7 . 8 . 9 . 20	stuck, but 1 didn't. Q. A lot of trucks got stuck there? A. Uh-huh. Q. But you were careful not to? A. No. That's where they spotted me at. Q. All right. And your dump truck had some kind of pneumatic lift on it?	16 17 18 19 20 21 22	Q. So your loads to the Broadway Dump were typically full loads? A. Yes. Q. Now, was there any paperwork that you needed to deal with at the dump? A. No. Q. No tickets of any kind?

11 (Pages 38 to 41)

1	Q. Why are you laughing?	1	Q. You think?
2	 A. Just new technology is out there 	2	A. I think,
3	now. Then it wasn't necessary.	3	Q. Did you ever see any other drivers
4	Q. You didn't have to hand	4	bringing trucks into the dump while you were
5	anything	5	there?
6	A. Nothing.	6	A. Yes.
7	Q to the brothers?	7	Q. From what companies?
8	A. Nothing.	8	A. I remember GH&R.
9	Q. They didn't hand you anything?	9	O. GH&R?
.0	A. Nothing.	10	A. GH&R. And one fellow worked for
1	Q. Did you ever have any discussions	11	General Motors that I knew personally.
2	with Kenny at the dump?	12	Q. Do you remember his name?
3	A. Not really.	13	A. Nope. I don't remember his name.
4	Q. Ever talk to you about anything?	14	Well, I do. I told a lie. His name was Robert
5	A. Not really.	15	Woodward.
6	Q. Okay. Ever tease you about	16	Q. Woodward?
7	getting like a big Christmas ham or	17	A. Woodward.
8	Thanksgiving turkey?	18	Q. WOODWARD? Does that sound
9	A. Well, you had a choice, a ham or	19	right?
0	turkey. That was at the end of the every year.	20	A. Uh-huh. Yes. Went to school
1	You could choose one or the other.	21	together.
2	Q. For a DP&L employee?	22	O. Went to Roosevelt?
3	A. No. All the people that went over	23	A. Uh-huh.
4	there.	24	Q. And he worked for GM?
5	Q. All the people that went to the	25	A. No. GH&R.
•	Page 42		Page 4
1	J	1	O DIJ CHAD be a state of
1 2	dump?	1 2	Q. Did GH&R have a nickname?
	A. Yeah.		A. Go home and rest. It was a
3	Q. And who gave you the ham or the	3	foundry. That's what they called it.
4	turkey?	4	Q. So did you also mention GM, that
5	A. Kenny would. Put your order in.	5	you seen GM trucks there?
6	You have it.	6	A. Yeah. I can't remember the people
7	Q. So it was free?	7	that were driving it. It was classmates that I
8	A. Yeah. It was a Christmas gift.	8	went to school with.
9	Q. It was like a gift for the	9	Q. Another classmate that worked for
.0	drivers?	10	GM, buh?
.1	A. Uh-huh.	11	A. Well, he went to another school,
2	Q. So do you remember getting any?	12	but I knew him.
.3	A. Yeah.	13	Q. Oh, okay. Now, any other
. 4	Q. What did you get?	14	companies other than GH&R and GM?
.5	A. Got the ham. That's what my mom	15	A. There were a lot of trucks over
.6	wanted. So that's what I got.	16	there, but I not really. I mean, this
.7	Q. Now, the two guys, Kenny and Bud,	17	was that's about the only two that I really
.8	were they when you would get to the dump,	18	remember that I talked to.
9	were they standing around or were they sitting	19	Q. Okay. If you think of any more
0	in a truck? What were they doing?	20	while we're doing the deposition, feel free to
1	A. No. One was on the dozer, and one	21	let me know.
2	was on the ground.	22	 A. I got dementia setting up in my
	Q. Who was on the dozer? Would that	23	old mind. That's a long way back, Larry.
3			
	have been Bud?	24	Q. Oh, I know that. That's what
3 ! 4 ! 5		24 25	Q. Oh, I know that. That's what makes this case so difficult.

12 (Pages 42 to 45)

1	And then what about other DP&L	1	did they do?
2	trucks? Did you see any other DP&L trucks there?	2	A. I think it came out the conveyor
3	A. Never did.	3	belt, down a chute, and they have a spotter.
4	Q. Never saw another one?	4	When he saw I had enough in the truck, he'd
5	A. Never seen another DP&L truck.	5	move me on out.
6	Q. What about from possibly any of	6	Q. So a similar kind of thing with a
7	the other power plants?	7	conveyor belt and a chute. Did you have a
8	A. I never seen a DP&L truck there at	8	chute at - back at Longworth?
9	all. Seriously.	9	A. It was a hopper. They called it a
10	Q. I believe you. Okay. Have you	10	hopper at Longworth Street.
11	ever heard of the Fourth Street station?	11	Q. And at Third Street it was a
12	A. Fourth Street station?	12	chute?
13	O. A a DP&L station at Fourth	13	A. Yeah.
14	Street.		
15		14	Q. And a spotter would be a person
16	A. There was a station there.	15	who would keep an eye of what's coming -
	Q. Okay. What can you tell me about	16	A. Yes.
17 18	that?	17	Q into your truck?
	A. Don't know nothing about it. I	18	MR. SHARETT: Wait until he finish
19	didn't work there.	19	his question.
20	Q. You never went there?	20	Q. The spotter would keep an eye on
21	A. No.	21	what's loading into your truck; is that righ
22	Q. Was there any other location at	22	A. Correct.
23	which you picked up fly ash for DP&L?	23	Q. Then he would give the signal to
24	A. Longworth was the only fly ash	24	stop when it was full?
25	place I had. Page 46	25	A. Correct. Page
1	_	1	
2	Q. Was there any other location you picked up anything for DP&L in your dump truck?	2	Q. What kind of operation was Third
3	A. Third Street station.	3	Street? Was it also a power plant? A. Steam.
4		4	
	Q. I was mixing up Third Street and	_	Q. It was a steam plant?
5	Fourth Street. Tell me a little bit about	5 6	A. Yeah.
6	Third Street. What was that?	_	Q. And why cinders rather than fly
7	A. Just cinders about once a month.	7	ash?
8	Q. And was that on your regular run?	8	A. Don't know.
9	Would you make a special run over to Third	9	Q. You just know it was cinders
10	Street to pick up the cinders?	10	coming into your truck?
11	A. If the boss would tell me to go	11	A. Yeah.
12	over there. It was like a little vacation, get	12	Q. And where would you take the
13	out of that mold of going the same way all the	13	cinders?
14	time when I had to go to the Third Street	14	A. Broadway.
15	station. But that was not a routine.	15	Q. Same place?
16	Q. Once in a while?	16	A. Uh-huh.
17	A. Once in a while.	17	Q. Same routine, you'd go to the
18	Q. So the boss would send you over to	18	dump?
19	Third Street to pick up a load of cinders?	19	A. Correct.
20	A. Uh-huh.	20	Q. See Kenny and Bud?
21	Q. Tell me what happened when you got	21	A. (Witness nods head up and down.)
22	to Third Street?	22	Q. They'd tell you where to dump it?
	A. I didn't mess with anything over	23	A. Yes.
23			
23 24	there. They would load me over there.	24	Q. I want to just ask you. I think I

13 (Pages 46 to 49)

1	When you drove the truck for the dump truck	1	A. Over in electric construction.
2	from Longworth to the Broadway Dump, did you	2	Q. And electric construction, was
3	have ever have any passengers in your truck	3	that headquartered at the time at the service
4	with you?	4	building?
5	A. Nope.	5	A. Correct.
6	Q. Always alone?	6	Q. So you had a different commute
7	A. Yes.	7	every day to get to work?
8	Q. Same for Third Street?	8	A. Yes.
9	A. Yes.	9	Q. You'd come down to the service
10	Q. Did your brother work for DP&L?	10	building to check in?
11	A. Yes.	11	A. Yes.
12	Q. Is he still alive?	12	Q. What was your shift at that point
13	A. No. I lost him this year.	13	for electric construction?
l 4	Q. I'm sorry to hear that. What was	14	A. The same. Hours was 7:00 to 3:30.
15	his job?	15	The same hours.
16	A. He was in the printing printing	16	Q. How long did you work in electric
17	department.	17	construction?
18	Q. At the service building?	18	A. Until '86 or '87 or '85, somewhere
19	A. At the gas electric building.	1,9	around in there.
20	Q. Do you remember the names of any	20	Q. Until mid '80s?
21	of the coal handlers that worked at Longworth	21	A. Yeah.
22	while you worked there?	22	Q. So maybe about twenty years or so
23	A. Mr. Taylor was a coal handler, Ed	23	in electric construction?
24	Taylor.	24	A. Yes.
25	Q. Did you say his first name? Page 50	25	Q. Where did you go after that? Page 52
1	A. Ed. And Mr. Dixon, Clinton Dixon.	1	A. Well, the company had a new
2	Q. Do you know if Mr. Taylor is still	2	implementation. They made these centers, like
3	alive?	3	in Centerville and we left Broadway.
4	A. That's a good question. I can't	4	Q. So you moved away from - electric
5	answer that. We used to see him off and on,	5	construction moved out of Broadway?
6	but I don't know his whereabouts right now.	6	A. Right. Well, they phased it out.
7	Q. What about Mr. Dixon?	7	Q. And you went to which - which
8	A. He passed away.	8	location?
9	Q. Anyone else that worked as a coal	9	 A. North Dayton service center.
10	handler at Longworth?	10	Q. And how long were you there?
l 1	A. Mr. Ford. Was it Willie Ford? He	11	A. I went over there in '88 and left
12	passed on, too.	12	in 2000.
. 3	Q. Willie Ford passed away?	13	Q. In electric construction the whole
4	A. Uh-huh. Henry Ford. That was his	14	time or something else from '88 till 2000?
١5	brother. Henry Ford. Henry Ford.	15	A. No.
6	Q. Passed on?	16	Q. You had already left electric
7	A. Uh-huh.	17	construction?
18	Q. Anyone else you can remember from	18	 A. Electric construction phased out.
. 9	Longworth?	19	That didn't exist anymore.
0 9	A. That was my little crew I ran	20	Q. So what was your department at
21	with.	21	that time?
2	Q. Then in '67 you moved on to	22	A. AC network.
23	another position with DP&L is that right?	23	Q. Where you are now?
	A. Right.	24	A. Yeah, Uh-huh,
2 4	A. Kigit.		

14 (Pages 50 to 53)

1	A. Back down here to Broadway.	1	A. After the white. We back into
2	Q. Back to service building?	2	white again now. It's - they change when they
3	A. Back to service building.	3	get ready to, I guess.
4	Q. Same department?	4	Q. So you'd go out in some kind of a
5		ŀ	- •
	A. Same department.	5	vehicle to a location to do work?
6	Q. So when you were in electrical	6	A. Correct.
7	construction from '67 to '85, '86, '87, where	7	Q. What kind of work did you do for
8	at the service building was your was	8	electric construction?
9	electric construction located? Do you want to	9	A. We were building substations from
10	look at the aerial photograph? It's in front	10	the ground up, from the pads.
11	of you.	11	Q. That's a big difference from truck
12	 A. If you're looking right down on 	12	driving, huh?
13	this dock right in front of Dryden Road.	13	A. Yes, it was.
14	Q. What is called the west dock?	14	Q. Did you have to get trained for
15	A. West dock.	15	electric construction?
16	Q. Were you right next to stores?	16	A. Yes.
17	A. Stores is in back of it. Stores	17	Q. How did that happen?
18	is on the east side.	18	A. Promote yourself into the
19	Q. But didn't Stores extend over	19	department. When a job came open, you would
2.0	pretty far?	20	apply for it; and if you had the skills, they
21	A. Yeah. They really got the whole	21	would recommend you or not recommend you.
22	building.	22	Q. Did you like it better than the
23		23	driving the truck?
24	Q. So you were on the east dock with	24	
	the stores behind you?		A. Oh, I loved it. Yes.
25	A. Right. Uh-huh.	25	Q. Much better?
	Page 54		Page 5
1	Q. How big an office was electric	1	A. Yes.
1 2	Q. How big an office was electric construction?	1 2	
	-		Q. Tell me a little bit about what
.2	construction? A. It was a nice what we call a	2	Q. Tell me a little bit about what you would do out on the site. Did you work a
2 3 4	construction? A. It was a nice what we call a burn room that everybody located in: We had	2 3 4	Q. Tell me a little bit about what you would do out on the site. Did you work a a mechanic, a carpenter? What kind of
2 3 4 5	construction? A. It was a nice what we call a burn room that everybody located in. We had close to ninety employees there so it had to be	2 3 4 5	Q. Tell me a little bit about what you would do out on the site. Did you work a mechanic, a carpenter? What kind of A. I was an operator. I ran the
2 3 4 5 6	construction? A. It was a nice what we call a burn room that everybody located in. We had close to ninety employees there so it had to be a pretty good size room. It was open with	2 3 4 5 6	Q. Tell me a little bit about what you would do out on the site. Did you work a mechanic, a carpenter? What kind of A. I was an operator. I ran the equipment.
2 3 4 5 6 7	construction? A. It was a nice — what we call a burn room that everybody located in. We had close to ninety employees there so it had to be a pretty good size room. It was open with lockers and workbenches.	2 3 4 5 6 7	Q. Tell me a little bit about what you would do out on the site. Did you work a a mechanic, a carpenter? What kind of A. I was an operator. I ran the equipment. Q. I see. What sort of equipment did
2 3 4 5 6 7 8	construction? A. It was a nice — what we call a bum room that everybody located in. We had close to ninety employees there so it had to be a pretty good size room. It was open with lockers and workbenches. Q. Did any work go on in electrical	2 3 4 5 6 7 8	Q. Tell me a little bit about what you would do out on the site. Did you work a mechanic, a carpenter? What kind of A. I was an operator. I ran the equipment. Q. I see. What sort of equipment did you run?
2 3 4 5 6 7 8	construction? A. It was a nice — what we call a bum room that everybody located in. We had close to ninety employees there so it had to be a pretty good size room. It was open with lockers and workbenches. Q. Did any work go on in electrical construction or was it just an assembly point?	2 3 4 5 6 7 8	Q. Tell me a little bit about what you would do out on the site. Did you work a a mechanic, a carpenter? What kind of A. I was an operator. I ran the equipment. Q. I see. What sort of equipment did you run? A. Backhoes, trenchers, Ditch Witch,
2 3 4 5 6 7 8 9	construction? A. It was a nice — what we call a burn room that everybody located in. We had close to ninety employees there so it had to be a pretty good size room. It was open with lockers and workbenches. Q. Did any work go on in electrical construction or was it just an assembly point? A. It was an assembly point. And	2 3 4 5 6 7 8 9	Q. Tell me a little bit about what you would do out on the site. Did you work a mechanic, a carpenter? What kind of A. I was an operator. I ran the equipment. Q. I see. What sort of equipment did you run? A. Backhoes, trenchers, Ditch Witch, anything the company had.
2 3 4 5 6 7 8 9 10 11	construction? A. It was a nice what we call a bum room that everybody located in. We had close to ninety employees there so it had to be a pretty good size room. It was open with lockers and workbenches. Q. Did any work go on in electrical construction or was it just an assembly point? A. It was an assembly point. And then we'd just go out in the field afterwards.	2 3 4 5 6 7 8 9 10	Q. Tell me a little bit about what you would do out on the site. Did you work a a mechanic, a carpenter? What kind of A. I was an operator. I ran the equipment. Q. I see. What sort of equipment did you run? A. Backhoes, trenchers, Ditch Witch, anything the company had. Q. If you were out on a site and
2 3 4 5 6 7 8 9 10 11 12	construction? A. It was a nice what we call a bum room that everybody located in. We had close to ninety employees there so it had to be a pretty good size room. It was open with lockers and workbenches. Q. Did any work go on in electrical construction or was it just an assembly point? A. It was an assembly point. And then we'd just go out in the field afterwards. Q. You went out in some sort of van	2 3 4 5 6 7 8 9 10 11	Q. Tell me a little bit about what you would do out on the site. Did you work a mechanic, a carpenter? What kind of A. I was an operator. I ran the equipment. Q. I see. What sort of equipment did you run? A. Backhoes, trenchers, Ditch Witch, anything the company had. Q. If you were out on a site and there was some materials that was going to b
2 3 4 5 6 7 8 9 10 11 12 13	construction? A. It was a nice what we call a bum room that everybody located in. We had close to ninety employees there so it had to be a pretty good size room. It was open with lockers and workbenches. Q. Did any work go on in electrical construction or was it just an assembly point? A. It was an assembly point. And then we'd just go out in the field afterwards. Q. You went out in some sort of van or truck?	2 3 4 5 6 7 8 9 10 11 12 13	Q. Tell me a little bit about what you would do out on the site. Did you work a a mechanic, a carpenter? What kind of A. I was an operator. I ran the equipment. Q. I see. What sort of equipment did you run? A. Backhoes, trenchers, Ditch Witch, anything the company had. Q. If you were out on a site and there was some materials that was going to b thrown away at the site, how did those get
.2 3 4 5 6 7 8 9 10 11 12 13	construction? A. It was a nice what we call a bum room that everybody located in. We had close to ninety employees there so it had to be a pretty good size room. It was open with lockers and workbenches. Q. Did any work go on in electrical construction or was it just an assembly point? A. It was an assembly point. And then we'd just go out in the field afterwards. Q. You went out in some sort of van or truck? A. Trucks. Equipment trucks,	2 3 4 5 6 7 8 9 10 11 12 13 14	Q. Tell me a little bit about what you would do out on the site. Did you work a a mechanic, a carpenter? What kind of A. I was an operator. I ran the equipment. Q. I see. What sort of equipment did you run? A. Backhoes, trenchers, Ditch Witch, anything the company had. Q. If you were out on a site and there was some materials that was going to b thrown away at the site, how did those get taken care of, if you know?
2 3 4 5 6 7 8 9 10 11 12 13 14	construction? A. It was a nice what we call a bum room that everybody located in. We had close to ninety employees there so it had to be a pretty good size room. It was open with lockers and workbenches. Q. Did any work go on in electrical construction or was it just an assembly point? A. It was an assembly point. And then we'd just go out in the field afterwards. Q. You went out in some sort of van or truck? A. Trucks. Equipment trucks, carry-alls. We even had a school bus.	2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q. Tell me a little bit about what you would do out on the site. Did you work a a mechanic, a carpenter? What kind of A. I was an operator. I ran the equipment. Q. I see. What sort of equipment did you run? A. Backhoes, trenchers, Ditch Witch, anything the company had. Q. If you were out on a site and there was some materials that was going to b thrown away at the site, how did those get taken care of, if you know? A. We would bring them back to
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	construction? A. It was a nice what we call a bum room that everybody located in. We had close to ninety employees there so it had to be a pretty good size room. It was open with lockers and workbenches. Q. Did any work go on in electrical construction or was it just an assembly point? A. It was an assembly point. And then we'd just go out in the field afterwards. Q. You went out in some sort of van or truck? A. Trucks. Equipment trucks, carry-alls. We even had a school bus. Q. Transport employees?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. Tell me a little bit about what you would do out on the site. Did you work a a mechanic, a carpenter? What kind of A. I was an operator. I ran the equipment. Q. I see. What sort of equipment did you run? A. Backhoes, trenchers, Ditch Witch, anything the company had. Q. If you were out on a site and there was some materials that was going to b thrown away at the site, how did those get taken care of, if you know? A. We would bring them back to Broadway
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	construction? A. It was a nice what we call a bum room that everybody located in. We had close to ninety employees there so it had to be a pretty good size room. It was open with lockers and workbenches. Q. Did any work go on in electrical construction or was it just an assembly point? A. It was an assembly point. And then we'd just go out in the field afterwards. Q. You went out in some sort of van or truck? A. Trucks. Equipment trucks, carry-alls. We even had a school bus. Q. Transport employees? A. Uh-huh.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q. Tell me a little bit about what you would do out on the site. Did you work a mechanic, a carpenter? What kind of A. I was an operator. I ran the equipment. Q. I see. What sort of equipment did you run? A. Backhoes, trenchers, Ditch Witch, anything the company had. Q. If you were out on a site and there was some materials that was going to b thrown away at the site, how did those get taken care of, if you know? A. We would bring them back to Broadway Q. And
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	construction? A. It was a nice what we call a bum room that everybody located in. We had close to ninety employees there so it had to be a pretty good size room. It was open with lockers and workbenches. Q. Did any work go on in electrical construction or was it just an assembly point? A. It was an assembly point. And then we'd just go out in the field afterwards. Q. You went out in some sort of van or truck? A. Trucks. Equipment trucks, carry-alls. We even had a school bus. Q. Transport employees?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. Tell me a little bit about what you would do out on the site. Did you work a a mechanic, a carpenter? What kind of A. I was an operator. I ran the equipment. Q. I see. What sort of equipment did you run? A. Backhoes, trenchers, Ditch Witch, anything the company had. Q. If you were out on a site and there was some materials that was going to b thrown away at the site, how did those get taken care of, if you know? A. We would bring them back to Broadway Q. And A from our job site.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	construction? A. It was a nice what we call a bum room that everybody located in. We had close to ninety employees there so it had to be a pretty good size room. It was open with lockers and workbenches. Q. Did any work go on in electrical construction or was it just an assembly point? A. It was an assembly point. And then we'd just go out in the field afterwards. Q. You went out in some sort of van or truck? A. Trucks. Equipment trucks, carry-alls. We even had a school bus. Q. Transport employees? A. Uh-huh. Q. What was the color of DP&L at that point? A. I think they had went to a white vehicle then. Q. From the green? A. From the green. Then they went	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. Tell me a little bit about what you would do out on the site. Did you work a a mechanic, a carpenter? What kind of A. I was an operator. I ran the equipment. Q. I see. What sort of equipment did you run? A. Backhoes, trenchers, Ditch Witch, anything the company had. Q. If you were out on a site and there was some materials that was going to b thrown away at the site, how did those get taken care of, if you know? A. We would bring them back to Broadway Q. And A from our job site. Q. In what vehicles? A. Whatever we had to haul them in. Backhoe trailers, whatever. Crew trucks. Q. And then what would happen to the materials when you got back to the service
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	construction? A. It was a nice what we call a bum room that everybody located in. We had close to ninety employees there so it had to be a pretty good size room. It was open with lockers and workbenches. Q. Did any work go on in electrical construction or was it just an assembly point? A. It was an assembly point. And then we'd just go out in the field afterwards. Q. You went out in some sort of van or truck? A. Trucks. Equipment trucks, carry-alls. We even had a school bus. Q. Transport employees? A. Uh-huh. Q. What was the color of DP&L at that point? A. I think they had went to a white vehicle then. Q. From the green?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Tell me a little bit about what you would do out on the site. Did you work a mechanic, a carpenter? What kind of A. I was an operator. I ran the equipment. Q. I see. What sort of equipment did you run? A. Backhoes, trenchers, Ditch Witch, anything the company had. Q. If you were out on a site and there was some materials that was going to b thrown away at the site, how did those get taken care of, if you know? A. We would bring them back to Broadway Q. And A from our job site. Q. In what vehicles? A. Whatever we had to haul them in. Backhoe trailers, whatever. Crew trucks. Q. And then what would happen to the

15 (Pages 54 to 57)

	rporation, et al. v. The Dayton Power & Light Co., et al.	-	Charles Field
1	to pile it up at.	1	A. Old cable, steel, braces,
2	Q. In the yard?	2	insulators. That would be it.
3	A. Yeah.	3	Q. Anything else you can think of?
4	Q. Along the dock or what?	4	A. No. We didn't use wood then
5	A. No. No. We'd go at the end of	5	because we were building substations. That's
6	the ramp, and then the storeroom personnel	6	all I ever brought back.
7	would take care of it. Recover it. They would	7	Q. Now, do you remember ever seeing
8	recover what we brought back there.	8	a not as big a dump truck that you drove but
9	Q. So you'd bring it back to the end	! 9	maybe a smaller dump truck located along eithe
10	of which ramp?	10	the west dock or east dock at the service
11	A. On the lower end. That would	1 11	building back when you began working electric
12	be	12	construction?
13	MR. SHARETT: Speak up. There's	13	A. No. The dump trucks weren't
14	people on the phone.	14	allowed to park at the dock. The line crew had
15	THE WITNESS: Oh, I'm sorry. It	1 15	the west dock. We parked out in the yard.
16	would be the end of the west dock. There was a	16	Q. Who parked out in the yard?
17	ramp right down there (indicating).	17	A. All the working trucks, what I
18	Q. The end of the west dock. Can you	18	call working trucks parked out in the yard, out
19	draw a circle where that would be?	19	in the lot, in this open area right here
20	A. Right here (indicating).	20	(indicating).
21	Q. Write ramp next to that.	21	Q. Why don't you circle that and
22	A. There was a ramp up there.	22	write in lot.
23	Q. Can you write in ramp next to it	23	A. (Witness complies with request.)
24	so we know where you drew the circle?	24	That's where you stage your other equipment,
25	A. (Witness complies with request.)	25	your backhoes, any other stuff, out in that
-5	Page 58		Page 60
1	O So would nut metariale soming healt	1	lot.
2	Q. So you'd put materials coming back from the jobs at the sites on the ramp or next	2	Q. And along the west dock, that's
3	to the ramp? Where would you unload?	3	where - what trucks were parked there?
4	A. On the flat part of the ramp. It	4	A. The line trucks.
5	· · · · · · · · · · · · · · · · · · ·	5	O. The line trucks.
6	wouldn't be the ramp. It would be in that	6	A. The bucket trucks.
7	vicinity. They called it recovery. You had	7	
8	material you didn't use, and we would put it	8	Q. And those trucks were associated
9	there.	9	with what department?
10	Q. So would this be both materials to	10	A. The line department.
11	throw away and to recover?	i	Q. And what about the dump truck, do you remember seeing a dump truck parked
	A. Good question because we didn't	11	• • • • •
12	need it anymore. So if it was salvageable,	12	anywhere in the service building area?
13	they would use it, you know, and put it back in	13	A. No. They always stayed out in the
14	stock and stick it back out. I mean, you don't	14	lot.
15	want to throw away good stuff if you didn't	15	Q. The dump truck would stay out in
16	need it.	16	the lot?
17	Q. So there was a flat area adjacent	17	A. All the dump trucks stay out in
18	to the ramp where you'd put the materials you	18	the lot.
19	brought back from the jobs?	19	Q. Do you remember seeing any dump
20	A. Correct.	20	trucks out in the lot?
21	Q. And then Stores would take care of	21	A. Yeah. That's where they was at.
22	it from there?	22	Q. Do you remember whether the -
23	A. Right.	23	those DP&L dump trucks dumped at the Broadway
24	Q. Can you tell me what sort of	24	dump right across the road?
		25	 A. Not to my knowledge.
25	materials would come back with you? Page 59		Page 61

16 (Pages 58 to 61)

NODARI CO	orporacion, at al. V. The Dayton Fower & Light Co., et al.	т —	Charles Pield
1	Q. Do you know where they dumped?	1	A. There was a Jim Watts. There was
2	A. No.	2	a well, he's still there, but he's not a
3	Q. Ever spend any time in the DP&L] 3	mechanic. Gene Tripline - Tipline.
4	garage at the service building area?	4	Q. Do you remember somebody who's
5	A. Yeah. When you break down, yeah,	5	still there that's not a mechanic? What name
6	you have to go to the garage.	6	were you thinking of?
7.	Q. And you broke down on occasion?	7	A. That's still living?
8	A. Several times.	8	Q. Well, you said still there.
9	Q. And the garage was where you went	9	A. Yeah. Gene is the last
10	to get a repair?	10	Q. Gene is still in the garage?
11	A. Correct.	11	A. Yeah. He's like me, he's on the
12	Q. All right. Where was the garage	12	waiting list to get out.
13	on this exhibit we're looking at	13	Q. There's still a waiting list?
14	A. Just the end of	14	A. No. We going. We got our mind
15	O. – Exhibit 3.	15	made up. We going. No, that's the only
16	A. This should be the garage right	16	mechanic.
17	here (indicating).	17	Q. What about there was a paint booth
18	Q. Why don't you write garage next to	18	in the garage?
19	that. That's the black building?	19	A. Yeah. Still there.
20	A. Uh-huh. (Witness complies with	20	Q. Do you remember any of the
21	request.)	21	operators of the paint booth?
22	• •	22	A. Bill Smith.
23	Q. Tell me about when you'd go into	23	
24	the garage with one of your vehicles.	ì	Q. No longer alive?
25	A. You'd wait until they repair you	24	A. No.
2.5	to get you out of there.	25	Q. Anyone else? Page 64
1	Q. You waited in the garage while the	1	A. We had two painters, but I can't
2	repairs were taking place?	2	remember the other painters. That's the only
3	A. If it wasn't a major problem.	3	one I can remember right off the top of my
4	Minor problem, they'd get you in and get you	4	head.
5	out.	5	Q. That's okay. If you remember it,
6	Q. Do you remember who worked in the	6	let me know.
7	garage back when you started in electrical	7	A. I doubt it.
8	construction?	8	
9	A. Oh, my goodness. Wow. I know a	9	Q. Any other Department of Transportation employees come to mind?
10	Jim Oatney worked in the question.	10	A. There was so many of them down
11		11	•
12	Q. How do you spell his last name?	12	there and they all passed away. I know I can't
	A. Next question.		spell this name. There was a Dushank. He was
13	Q. You don't remember?	13	down there.
14	A. Huh-uh. I know he was a shop	14	Q. Do you remember his first name?
15	foreman down there.	15	A. Leander.
16	Q. Jim?	16 17	Q. Do you remember what his job was?
17	A. Oatney.	!	A. He was a mechanic. You're going
18	Q. Say that a little louder?	18	to make me go home and think about it. I mean,
19	A. Oatney.	19	I met a lot of people in my career.
20	Q. Anyone else?	20	Q. Do you remember any of the dump
21	A. He was the boss down there.	21	truck drivers who were stationed at the service
22	Q. Any other mechanics?	22	building?
23	A. Oh, yeah, there was a bunch of	23	A. As a driver, you drove whatever
24	mechanics down there.	24	they told you to drive. That could be anyone.
25	Q. Do you remember any names?	25	A lineman can drive a dump truck. So just
	Page 63		Page 65

17 (Pages 62 to 65)

1	drivers.	1	Q. Is he still alive?
2	Q. What about Stores, do you remember	2	A. I think he is:
3	anyone from Stores, from -	3	O. What did he do?
4	A. Met a lot of people from Stores.	4	A. I don't know what they did over
5	Q. Can you give me some names?	5	there. They worked in the transformer shop.
6	A. Mr. Harty. Willie Harty.	6	When the old transformers would come in, they
7	Q. I know Willie.	7	repair them or try to put them back out on the
8	A. G. L. Scandritz.	8	property. I think that's what they did. Otis
9	Q. Is he still alive?	9	Henry used to work there.
10	A. Yes. Jim South, A Bill Brush.	10	O. Is he still alive?
11	O. What's Bill's last name?	11	A. No. He passed away, too.
12	A. BRUSH. He retired.	12	Q. John Williams passed away?
13	O. BRUSH?	13	A. John Williams, he no. He's
L 4	A. Uh-huh.	14	still alive. I see all these faces. I can't
15	Q. Is he still alive?	15	put no names to them. That's
16	A. Uh-huh. A Ross Hotson.	16	Q. That's who you remember right now
17	O. Ross Hotson?	17	A. Yeah, right off the top of my
18	A. Uh-huh.	18	head.
9	O. Still alive?	19	Q. And do you know anybody who was
20	A. Yes. Heard he's in a nursing	20	associated with the oil house, worked in the
21	home, but he's still alive. I'll think of some	21	oil house?
22	of them as we go. These are the fellows I	22	A. This older gentleman worked there
23	worked in electric construction. Came out of	23	when I first got — Elmer. And that's all I
24		24	know was Elmer.
25	the storeroom.	25	
23	Q. Came out of storeroom and then Page 66	25	Q. Probably passed away then? Page 6
	2 2 3 3 3		1440
1	worked in electric	1	A. Oh, yeah. I know he's gone.
2	A. Uh-huh.	2	Q. Anyone else from the oil house?
3	Q. Jim Shar?	3	A. Not really. No. Not no. 1
4	A. Shouldn't have mentioned that	4	can't think of any. No.
5	name.	5	Q. Did you have any involvement
6	Q. Why?	6	yourself in the oil house since you - when yo
7	A. Lineman.	7	worked at DP&L?
8	Q. Friend of yours?	8	A. Not really. You just go over
9	A. I guess you call it that. I	9	there and pick up an empty barrel. No, not
10	believe that's why I'm here.	10	really.
l 1	Q. All right. I'm going to take a -	11	Q. Why would you pick up an empty
12	let me ask one more. Ever get around into the	12	barrel?
13	transformer shop?	13	A. For a BBQ pit if you really want
L 4	A. Know where it's at.	14	to know.
15	Q. You know where it was?	15	Q. Took it home?
l 6	A. Yeah.	16	A. Yes.
17	Q. Did you ever go in there?	17	Q. They had empty barrels like -
l B	A. Oh, yeah. I cut through there.	18	A. Well, the ones they wouldn't use.
١9	Q. On the way to it where?	19	They were nice so you could cut them in two an
20	A. Restroom, Wherever we're going.	20	make a nice grill out of it.
21	Shortcut. Safe place.	21	Q. What did they use the barrels for?
22	Q. Can you tell me, do you remember	22	A. I think they transported oil in
23	anybody who worked in the transformer shop from	23	them, you know, when they had different oil
24	when you were in electric construction?	24	jobs, whatever that consisted of. They'd take
25	A. John Williams worked over there.	25	them out.
	75. John Williams Worked Over there.	2 3	Page 6

18 (Pages 66 to 69)

1	MR. SILVER: Okay. I'm going to take	1	A. Yes.
2	a break for about five minutes and see if I have	2	Q. Would that be Mr. Sharett?
3	any more questions.	3	A. Yes.
4	MR. SHARETT: All right. Great,	4	Q. Now, prior to the deposition, did
5	Thanks. Let's step outside.	.5	you have a chance to talk to Mr. Sharett and
6	(Thereupon, a break was had.)	6	prepare for this deposition?
7	MR. SILVER: I'm going to mark this	7	A. Yes.
8	as Exhibit 4.	8	
9		. 9	Q. Now, at the break, after we were
	(Thereupon, Fields Exhibit Number 4		asking - I was asking you questions and you
10	was marked for purposes of identification.)	10	went and broke and went in the other room,
11	Q. Mr. Fields, I'm putting another	11	you have a chance to talk to Mr. Sharett any
12	aerial photograph in front of you that we've	12	further?
13	marked as Exhibit 4. And it's a little bit	13	A. We spoke to one another. We
14	more of a close-in photograph of the of	14	spoke, yeah.
15	the what's shown. Do you see where Dryden	15	Q. Did you talk about the questions
16	Road is marked on the exhibit?	16	that were being asked?
17	A. Yes.	17	MR. SHARETT: Objection, Objection
18	Q. And we talked a little bit about,	18	That is attorney-client privileged information. I
19	you know, where you when you drove the truck	19	instruct you not to answer. Do not ask him one
20	from Longworth, the dump truck, where you	20	more question about what we discussed.
21	entered into the Broadway Dump. You were a	21	MR. SILVER: It was in the middle of
22	little bit concerned about, you know, where	22	the deposition.
23	the the white building, whether it was still	23	MR. SHARETT: Don't ask him one mo
24	there or not there.	24	question. I will stop the deposition.
25	If you're able to, if you can show me	25	MR. SILVER: Okay. So you're not
	Page 70		Page
1	where you entered the dump with your dump truck on	1	allowing me to ask questions about
2	this diagram, if it helps at all.	2	MR. SHARETT: That's absolutely
3	A. It's the same white building.	3	right. You cannot ask him about anything that w
4	Q. Can't get rid of the white	4	discussed. As his counsel, that is
5	building.	5	attorney-client privilege information, I will
6	A. (Witness complies with request.)	_	• •
		· h	ston today's denosition it you ask him one more
		6	stop today's deposition if you ask him one more
7	Q. So you marked a white building	7	question.
7 8	Q. So you marked a white building where you believe you entered the dump truck	7 8	question. MR. SILVER: I'm asking you a
7 8 9	Q. So you marked a white building where you believe you entered the dump truck where you drove the dump truck into the dump?	7 8 9	question. MR, SILVER: I'm asking you a question right now. You're not going to let me
7 8 9 10	Q. So you marked a white building where you believe you entered the dump truck where you drove the dump truck into the dump? A. It looks like the vicinity I was	7 8 9 10	question. MR. SILVER: I'm asking you a question right now. You're not going to let me ask him what was discussed between you and hir
7 8 9 10	Q. So you marked a white building where you believe you entered the dump truck where you drove the dump truck into the dump? A. It looks like the vicinity I was going into. But like I said, I never had an	7 8 9 10	question. MR, SILVER: I'm asking you a question right now. You're not going to let me ask him what was discussed between you and hir during the break in this deposition?
7 8 9 10 11	Q. So you marked a white building where you believe you entered the dump truck where you drove the dump truck into the dump? A. It looks like the vicinity I was going into. But like I said, I never had an upper view on it.	7 8 9 10 11	question. MR, SILVER: I'm asking you a question right now. You're not going to let me ask him what was discussed between you and hir during the break in this deposition? MR. SHARETT: Yeah. That's
7 8 9 10 11 12	Q. So you marked a white building where you believe you entered the dump truck where you drove the dump truck into the dump? A. It looks like the vicinity I was going into. But like I said, I never had an upper view on it. Q. Uh-huh. That looks like the	7 8 9 10 11 12 13	question. MR, SILVER: I'm asking you a question right now. You're not going to let me ask him what was discussed between you and hir during the break in this deposition? MR. SHARETT: Yeah. That's absolutely right.
7 8 9 10 11 12 13	Q. So you marked a white building where you believe you entered the dump truck where you drove the dump truck into the dump? A. It looks like the vicinity I was going into. But like I said, I never had an upper view on it. Q. Uh-huh. That looks like the location where you entered, is that what you're	7 8 9 10 11 12 13	question. MR, SILVER: I'm asking you a question right now. You're not going to let me ask him what was discussed between you and hir during the break in this deposition? MR. SHARETT: Yeah. That's absolutely right. MR. SILVER: I just want to make it
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7 8 9 10 11 12 13 14 15 16	Q. So you marked a white building where you believe you entered the dump truck where you drove the dump truck into the dump? A. It looks like the vicinity I was going into. But like I said, I never had an upper view on it. Q. Uh-huh. That looks like the location where you entered, is that what you're saying A. Yes. Q where you marked the X on	7 8 9 10 11 12 13 14 15 16	question. MR. SILVER: I'm asking you a question right now. You're not going to let me ask him what was discussed between you and hir during the break in this deposition? MR. SHARETT: Yeah. That's absolutely right. MR. SILVER: I just want to make it clear on the record. Q. I'm going to put another exhibit in front of you, Mr. Fields, that I'm going to
7 8 9 10 11 12 13 14 15 16 17	Q. So you marked a white building where you believe you entered the dump truckwhere you drove the dump truck into the dump? A. It looks like the vicinity I was going into. But like I said, I never had an upper view on it. Q. Uh-huh. That looks like the location where you entered, is that what you're saying A. Yes. Q where you marked the X on Exhibit 4?	7 8 9 10 11 12 13 14 15 16 17	question. MR. SILVER: I'm asking you a question right now. You're not going to let me ask him what was discussed between you and hir during the break in this deposition? MR. SHARETT: Yeah. That's absolutely right. MR. SILVER: I just want to make it clear on the record. Q. I'm going to put another exhibit in front of you, Mr. Flelds, that I'm going to ask you a few questions about. And we're up
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7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. So you marked a white building where you believe you entered the dump truck where you drove the dump truck into the dump? A. It looks like the vicinity I was going into. But like I said, I never had an upper view on it. Q. Uh-huh. That looks like the location where you entered, is that what you're saying A. Yes. Q where you marked the X on Exhibit 4? A. Uh-huh. Yes. Q. All:right, That's really all	7 8 9 10 11 12 13 14 15 16 17 18 19 20	question. MR. SILVER: I'm asking you a question right now. You're not going to let me ask him what was discussed between you and hir during the break in this deposition? MR. SHARETT: Yeah. That's absolutely right. MR. SILVER: I just want to make it clear on the record. Q. I'm going to put another exhibit in front of you, Mr. Flelds, that I'm going to ask you a few questions about. And we're up number 5, I believe. (Thereupon, Fields Exhibit Number 5
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. So you marked a white building where you believe you entered the dump truck where you drove the dump truck into the dump? A. It looks like the vicinity I was going into. But like I said, I never had an upper view on it. Q. Uh-huh. That looks like the location where you entered, is that what you're saying A. Yes. Q where you marked the X on Exhibit 4? A. Uh-huh. Yes.	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	question. MR. SILVER: I'm asking you a question right now. You're not going to let me ask him what was discussed between you and hir during the break in this deposition? MR. SHARETT: Yeah. That's absolutely right. MR. SILVER: I just want to make it clear on the record. Q. I'm going to put another exhibit in front of you, Mr. Flelds, that I'm going to ask you a few questions about. And we're up number 5, I believe. (Thereupon, Fields Exhibit Number 5 was marked for purposes of identification.)
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7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. So you marked a white building where you believe you entered the dump truckwhere you drove the dump truck into the dump? A. It looks like the vicinity I was going into. But like I said, I never had an upper view on it. Q. Uh-huh. That looks like the location where you entered, is that what you're saying A. Yes. Qwhere you marked the X on Exhibit 4? A. Uh-huh. Yes. Q. All-right. That's really all unless there's something else that you wanted to say about that.	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	question. MR, SILVER: I'm asking you a question right now. You're not going to let me ask him what was discussed between you and him during the break in this deposition? MR. SHARETT: Yeah. That's absolutely right. MR. SILVER: I just want to make it clear on the record. Q. I'm going to put another exhibit in front of you, Mr. Flelds, that I'm going to ask you a few questions about. And we're up number 5, I believe. (Thereupon, Fields Exhibit Number 5 was marked for purposes of identification.) Q. It's the same — I'm going to

19 (Pages 70 to 73)

			
1	various facilities of DP&L.	1	and/or equipment maintenance. Was there
2	(Thereupon, an off-the-record	2	vehicle or equipment maintenance going on at
3	discussion was:had.)	3.	Longworth?
4	Q. I want to direct you to the column	4	A. At the garage.
5	that's titled Longworth steam station. Do you	5	Q. So even the big dump truck you
6	see that?	6	drove, you would take to the garage
7	A. Correct.	7	A. Right.
8	Q. And if you go down the column, you	8	Q the garage on Broadway?
9	know, the first row, it says PCBs and it says	9	A. On Broadway.
10	none known, you know, none known with regard to	10	Q. That's all I wanted to ask you
11	Longworth. Do you see that?	11	about that. We're good there.
12	A. Yes.	12	MR. SILVER: All right. That's all
13	Q. The next one says chemical	13	the questions I have for you, Mr. Fields. Thanks
14	solvents. Do you see where that says chemical	14	very much.
15	solvents? And then you can go across the row,	15	THE WITNESS: Thank you.
16	you see cleaning of equipment and facilities?	16	MR. SILVER: Mr. Sharett?
17	A. Correct.	17	MR. SHARETT: I have no questions.
18	Q. I'm just wondering, when you were	18	Does anybody else on the phone have any questions?
19	a janitor, do you remember using any chemical	19	MR. SILVER: Anyone in the room?
20	solvents to clean equipment and facilities at	20	Anyone on the phone?
21	Longworth?	21	MR. SHARETT: We'll review.
22	A. No. I used a broom and a mop.	22	(Thereupon, the deposition was
23	Q. And cutting oils, you don't have	23	concluded at 10:23 a.m.)
24	any familiarity with cutting oils at Longworth,	24	
25	do you?	25	
ļ	Page 74		Page 76
1	A. No.	1	I, CHARLES FIELDS, do hereby certify that
2	Q. What about paint?	2	the foregoing is a true and accurate transcription
3	A. Nope.	3	of my testimony.
4	Q. You never did any painting?	4	•
5	A. Nope.	5	
6	Q. And what about it says combustion	' 6	
7	of coal. Combustion of coal, was that what	. 7	
8	produced fly ash?	8	Dated
9	A. I don't know.	9	
10	Q. You	10	
11	A. I'm not familiar.	11	
12	Q. Next row it says stoddard	12	
13	solvents. Do you see that?	13	
14	A. Uh-huh,	14	
1.5	Q. It says cleaning of equipment and	15	
16	facilities. Did you do any	16	
17	A. No.	17	
18	Q. You never cleaned equipment and	18	
19	facilities	19	
20	A. No.	20	·
21	Q. — other than the mop and	21	
22	A. Mop and water and broom.	22	
23	Q. You see also at the very bottom	2,3	
24	there's a reference to oils and/or brake	24	
25	fluids. And under Longworth it says vehicle	25	
1	Page 75		Page 77

20 (Pages 74 to 77)

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STATE OF OHIO
      COUNTY OF MONTGOMERY ) SS: CERTIFICATE
 3
             I, Michelle A. Elam, a Notary
      Public within and for the State of Ohio, duly
 4
 5
      commissioned and qualified,
             DO HEREBY CERTIFY that the
 6
      above-named CHARLES FIELDS, was by me first duly
 8
      sworn to testify the truth, the whole truth and
 9
      nothing but the truth.
10
             Said testimony was reduced to
      writing by me stenographically in the presence
11
      of the witness and thereafter reduced to
12
13
      typewriting.
             I FURTHER CERTIFY that I am not a
14
15
      relative or Attorney of either party, in any
16
      manner interested in the event of this action,
      nor am I, or the court reporting firm with which
17
18
      I am affiliated, under a contract as defined in
19
      Civil Rule 28(D).
20
21
22
23
24
25
                                            Page 78
           IN WITNESS WHEREOF, I have hereunto set
      my hand and seal of office at Dayton, Ohio, on
 3
      this 4th day of June, 2014.
 5
               MICHELLE A. ELAM
               NOTARY PUBLIC, STATE OF OHIO
 6
               My commission expires 5-2-2015
 7
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                                            Page 79
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21 (Pages 78 to 79)

EXHIBIT D

Transcript of deposition of John L. Davis in Response to Question No. 16(r)

Hobart Corporation, et al. v. The Dayton Power & Light Company, et al.	John L. Davi
Page 1	Page 3
IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO WESTERN DIVISION * * * * HOBART CORPORATION, et al., Plaintiffs, vs. CASE NO. 3:13-cv-00115-WHR THE DAYTON POWER AND LIGHT COMPANY, et al., Defendants. * * * Deposition of JOHN L. DAVIS, Witness herein, called by the Plaintiffs for cross-examination pursuant to the Rules of Civil Procedure, taken before me, Michelle A. Elam, a Notary Public in and for the State of Ohio, at the offices of Sebaly, Shillito + Dyer, 1900 Kettering Tower, 40 North Main Street, Dayton, Ohio, on Thursday, the 12th day of September, 2013, at 10:04 a.m. * * *	1 APPEARANCES: 2 On behalf of the Plaintiffs: 3 Langsam Stevens Silver & Hollaender 4 By: Larry Silver Attorney at Law 5 1818 Market Street, Suite 3400 Philadelphia, Pennsylvania 19103 6 215-732-3255 7 On behalf of the Defendant The Dayton Power and Light Company: 8 Bricker & Eckler 9 By: Drew H. Campbell 10 Antorney at Law 100 South Third Street 11 Columbus, Ohio 43215 614-227-2300 12 On behalf of the Defendant Cox Media Group 13 Ohio, Inc.: 14 Farnki Ireland & Cox, P.L.L. 15 By: Jade K. Smarda Attorney at Law 100 Sourhouse Plaza, SW 10 North Luddow Street 17 Dayton, Ohio 45402 937-227-3719 18 On behalf of the Defendant Franklin Iron & Metal Corporation: Crehan & Thumann, LLC 18 By Robert J. Thumann (Telephonically) Attorney at Law 1206 Race Street Cincinnati, Ohio 45202 513-381-5050
Page 2 EXAMINATIONS CONDUCTED PAGE BY MR. SILVER: 5 BY MR. CAMPBELL: 49 BY MR. SILVER: 63 EXHIBITS MARKED PAGE (Thereupon, Davis Exhibit Number 1 13 was marked for purposes of identification.) (Thereupon, Davis Exhibit Number 2 21 was marked for purposes of identification.) (Thereupon, Davis Exhibit Number 3 41 was marked for purposes of identification.)	Page 4 1 APPEARANCES: (Cont'd.) 2 On behalf of the Defendant Pharmacia, LLC, a Delaware Limited Liability Company: 3 Krieg DeVault, LLP 4 By: Vicki J. Wright (Telephonically) 5 Attorney at Law One Indiana Square, Suite 2800 6 Indianapolis, Indiana 46204 317-218-6372 On behalf of the Defendant Sherwin-Williams Company: 9 Gallagher Sharp 10 By: Erik J. Wineland (Telephonically) Attorney at Law 11 420 Madison Avenue, Suite 1250 Toledo, Ohio 43604 12 419-241-4863 13 On behalf of the Defendant Waste Management of Ohio, Inc.: 14 Quarles & Brady 15 16 Attorney at Law 411 East Wisconsin-Avenue Milwaukee, Wisconsin-Avenue Milwaukee, Wisconsin 53202-4497 414-277-5000 ALSO PRESENT 19 Malcolin Winue

1 (Pages 1 to 4)

	Page 5	5	Page
1	JOHN W. DAVIS	1	court reporter doesn't want us talking over
2	of lawful age, Witness herein, having been first	2	each other. She can't - she can't key punch
3	duly cautioned and sworn, as hereinafter	3	two people talking at the same time.
4	certified, was examined and said as follows:	4	If you need a break at any time,
5	CROSS-EXAMINATION	5	let us know and we'll we can we can have
6	BY MR. SILVER:	6	a break. And we might have just a break anyway
7	Q. Hello, Mr. Davis.	7	after an hour, hour and a half, something like
8	A. How are you doing?	8	that.
9	Q. Can you give your full name for	9	This is a case about the south
10	the record?	10	Dayton dump. My clients are - have reached
11	A. John Wesley Davis.	11	some agreements with the EPA to clean up the
12	Q. Your address for the record,	12	dump, and we are asking for assistance from
3	please?	13	other parties that we believe may have disposed
4	A. NON-	14	of waste there. That's what this lawsuit is
15	Q. And that is in Dayton?	15	all about.
16	A. Yeah.	16	Can you tell me whether you were
17	Q. Have you ever had a deposition	17	ever an employee of The Dayton Power and Light
18	before?	18	Company?
19	A. (Witness shakes head back and	19	A. Yes.
20	forth.)	20	Q. And during what years?
21	Q. Given testimony of any kind?	21	A. From '68 till 2001.
22	A. (Witness shakes head back and	22	Q. So that would be about
23	forth.)	23	thirty-three years?
24	Q. So this is a new experience for	24	A. Thirty-four.
25	you?	25	Q. And just let me know a little bit
	Page 6		Page
1	A. Yep.	1	about your background. What was your date of
2	Q. Hopefully your last?	2	birth?
3	A. Yep.	3	A. NON-
4	Q. All right. Just I want to give	4	Q. Did you go to school in did you
5	you just a few instructions and information	5	grow up in where were you born?
6	that will help in the deposition. One is, it's	6	A. Dayton.
7	important to answer questions out loud and not	7	Q. Right in Dayton. You grew up
8	shake your head yes or no so that both the	8	here?
9	court reporter can get it and write it down,	9	A. Yeah.
10	she's writing everything down that happens, and	10	Q. Did you go to school here?
11	for the people on the phone who can't see you.	11	A. Yes.
12	The way this is going to work is	12	Q. What school did you go to?
13	I'm going to ask questions. It's going to be a	13	A. NON-
L 4	question and answer period. You're here to	14	Q. NON-
5	give answers to the questions to the best of	15	A. (Witness nods head up and down.)
16	your knowledge. It's not a test. So if you	16	Q. And after school, did you have any
17	don't know an answer, as I'm sure you will let	17	jobs before you worked for Dayton Power and
. 8	us know, just say I don't know. If you don't	18	Light?
9	understand a question, if it's not stated well	19	A. Yeah, I operated a crane for
20	and you can't figure out what I'm asking, just	20	Ruben Iron & Metal.
21	ask me to rephrase it. If you don't hear it,	21	Q. Okay. For how long did you do
22	ask me to repeat it.	22	that?
			TOTAL TO SEE THE SECTION SECTI
	It's immortant to societ until I		
23	It's important to wait until I finish the question before you answer. You may	23	A. About three years. Q. Okay. So that would have been

2 (Pages 5 to 8)

	Corporation, at al. v. The Dayton Power & Light Company, et al.		John L. Davi
	Page 9		Page 11
1	A. (Witness nods head up and down.)	1	A. Pennsylvania Iron & Coal.
2	Q. Maybe '56 or '57, somewhere in	2	Franklin. Pennsylvania Iron & Coal and
3	there?	3	Franklin.
4	A. I don't know.	4	Q. Was it a big truck you drove for
5		5	Ruben?
	Q. And what kind of company what	1	
6	was the name of that company again?	6	A. Tandem.
7	A. Scrap iron, Ruben Iron & Metal.	7	Q. Now, back to DP&L, when you
8	Q. What sort of work did they do?	8	started working for them, what sort of truck
9	A. Sold steel. Cut up steel.	9	were you driving?
10	Q. And where were they located?	10	A. Tandem.
11	A. Just like Franklin.	11	Q. Describe a tandem truck to me,
12	Q. Oh, like Franklin Iron & Metal	12	just to make sure I have it in my mind.
13	who's represented here?	13	A. It's got a set of four wheels in
14	A. In fact, I worked out there for a	14	the back.
15	while.	15	Q. What's the total length of the
16	Q. You worked for Franklin?	16	tandem truck that you drove when you started
17	A. Yeah.	17	driving for Dayton Power and Light
18	Q. What period of time?	18	approximately?
19	A. Right before I went to work for	19	A. Approximately probably sixteen
20	Dayton Power and Light.	20	foot.
21	Q. Dayton Power and Light.	21	Q. And that's plus the cab?
22	A. '6 had to be '67, '66.	22	A. Yeah.
23	Q. I'm curious about Franklin Iron &	23	Q. And where did you drive the tandem
24	Metal. What did you do for Franklin Iron &	24	for Dayton Power and Light when you started
25	Metal?	25	with them?
ļ	Page 10		Page 12
1	A. Just picked up scrap around the	1	A. South Dayton dump. That's where
2	yard.	2	we dumped at.
3	Q. And did what with it?	3	Q. So you were hauling waste for
4	 A. They shipped it out, sold it to 	4	Dayton Power and Light at that time?
5	somebody.	5	MR, CAMPBELL: Objection to form.
6	Q. So were you operating a piece of	6	THE WITNESS: Yeah.
7	equipment?	7	Q. What was in we're still
8	A. No.	8	starting off when you started driving this
9	Q. Just helping out with	9	tandem. What was in the truck?
10	A. Yard work.	10	A. Ashes.
11	Q. Now, when you started with Dayton	11	Q. Where did the ashes come from?
12	Power and Light in 1968 you said, what did you	12	A. Boilers.
13	do for them when you began working there?	13	Q. Which boilers?
14	A. Drove a truck.	14	A. We had four boilers at Longworth.
15	Q. Right away?	15	Q. I see. So the boilers at
16	A. Yep,	16	Longworth were the source of the ashes for what
17	Q. Had you done any truck driving for	17	was put into your tandem?
18	anyone before that?	18	A. Yep.
19	A. Yep.	19	Q. Is is Longworth still around?
20	Q. Who was that for?	20	MR. WINNE: The image, aerial image?
21	A. Ruben Iron & Metal.	21	MR, SILVER: No. No. I'm talking to
22	Q. And what did you do in the truck	22	him.
23	for Ruben Iron & Metal?	23	THE WITNESS: Nope.
24	A. Haul steel.	24	Q. And where was Longworth located?
25	Q. And where did you deliver it?	25	A. Over back of Chaminade.

3 (Pages 9 to 12)

nooart	Corporation, et al. v. The Dayton Power & Light Company, et al.		John L. Da	vie
	Page 13		Page 1	5
1	Q. Chaminade High School?	1	A. (Witness shakes head back and	
2	A. High school. In fact, they got	2	forth.)	
3	the field that it sit on, practice field.	3	Q. Did you ever go to Hutchings	ı
4	Q. Where Longworth was is now a	4	Station to pick up ash or anything else?	١
5	practice field for Chaminade High School?	15	A. No.	
6	A. Yep.	6	Q. And what about Tate Station?	1
7	Q. I grew up in Cleveland. So I knew	7	A. Nope.	-
8	about Chaminade because it always had good	8	MR. CAMPBELL: I'm sorry, say that	
9	good basketball teams. So does Roosevelt.	9	again.	١
10	All right. Let's start with the	10	Q. What about Tate Station? You're	-
11	first exhibit. We're going to mark this as Davis	11	familiar with Tate Station?	- 1
12	Exhibit Number 1.	12	A. Yep.	1
13	(Thereupon, Davis Exhibit Number 1	13	Q. But you never picked up anything	ı
14	was marked for purposes of identification.)	14	at Tate Station while you worked for DP&L?	1
15	Q. This is just something I pulled	15	A. Nope.	
16	off the Internet, Mr. Davis, and I thought I	16	Q. So far, we've talked about	
17	would show it to you because I was having	17	Longworth and Third Street. Were there any	-[
18	difficulty finding a picture of the old	18	other and I'll just talk about the entire	
19	Longworth facility. Does that look familiar to	1.9	time that you worked for DP&L. Were there any	Į
20	you? I guess not.	20	locations where you picked up waste I'm	ı
21	A. That's the coal skip that's	2.1	sorry picked up ash or other waste for DP&L?	ı
22	Longworth.	22	A. Nope.	1
23	Q. Did they ever call it the castle?	23	Q. So simply Longworth and Third	-
24	Ever hear that?	24	Street for you?	1
25	A. Yeah. Most people it looked	25	A. Yep.	_[
	Page 14		Page 16	5
1	like a castle.	1	Q. So now we're still talking about	1
2	Q. And this got torn down at some	2	when you started with DP&L and drove the	1
3	point?	3	tandem. For how long did you drive the tandem	1
4	A. Yep.	4	for DP&L?	-1
5	Q. So this is when you were starting	5	A. From '66 until '88. From '68 to	-
6	at DP&L and driving the tandem, was this	6	'88.	1
7	facility, Longworth, the source of the ash that	7	Q. Twenty years. '68 to '88?	-
8	you picked up?	8	A. (Witness nods head up and down.)	
9	A. Yep.	9	Q. Now, when you were picking up the	-
10	Q. Did you pick up ash from any other	10	ash at Longworth, you mentioned you took it to	
11	facilities of DP&L at that point in time?	11	South Dayton dump?	Į
12	A. Third Street.	12	A. Yep.	
13	Q. Third Street. What was at Third	13	Q. Did you take ash from Longworth to	
14 15	Street?	14 15	South Dayton dump for those entire twenty years	-
16	A. Steam plant. Q. And so you picked up ash in your	16	that you drove the tandem? A. Yep.	1
17	tandem from the steam plant at Third Street as	17	Q. And you also mentioned you picked	
18	well as Longworth?	18	up ash from Third Street?	
19	A. Yes.	19	A. Yeah.	١
20	Q. Any other facilities of DP&L?	20	Q. And did you also take that to the	
21	A. Nope.	21	South Dayton dump?	1
22	Q. What about Hutchings Station?	22	A. Yep.	1
23	A. Nope.	23	Q. Did you pick it up from Third	ł
24	Q. You didn't go there at that point	24	Street and take it to the South Dayton dump for	
25	in time?	25	the entire twenty years you drove the tandem?	
127	m unie,	, = -	the strate them; jews jou die te the talidelli	

4 (Pages 13 to 16)

	Corporation, et al. v. The Dayton Power & Light Company, et al.		John L. Cavi
ŀ	Page 17		Page 19
1	A. Yep.	1	bed on it.
2	Q. Can you tell me what frequency you	2	O. Uh-huh.
3	picked up ash from Longworth and took it to	3	A. And you pulled the doors down on
4	South Dayton dump?	4	the boilers and it comes down in the bucket and
5	A. Every day except weekends.	5	then you wheel it over to the ash skip, which
6	Sometime on weekends.	6	is that on the side there, and it had a big
1 7	Q. Okay. Every day except weekends,	7	bucket on it and it would take it up and dump
8	but sometimes on weekends?	8	it in a green tank.
] 9	A. (Witness nods head up and down.)	وا	Q. And then the green tank would
10	Q. And your answer is	10	would dump it into your tandem?
11	A. Yeah.	11	A. You had a chain with a gate on it,
12	Q. How many times a day for weekdays	12	like a it had a door on the bottom of the
13	would you pick up?	13	green tank that operated with a chain.
14	A. It depended on how much was on the	14	
15	boiler and how cold it was. I could run	15	Q. And was the green tank elevated so
16	fifteen loads a day.	16	that it could pour into your truck? A. Yeah.
17		17	
18	Q. So you mentioned how cold it was.	18	Q. Who did you work with we're
19	I assume when it was colder, the steam plant	19	talking Longworth, right? A. Yeah.
20	was running more and there was more ash; is that correct?	20	
21		21	Q. Who did you work with at Longworth
22	A. Yep.	22	when you picked up the ash? Or did you do that
23	Q. So it would be fifteen a day on	23	work yourself?
24	average for weekdays for you?	1	A. I loaded myself.
25	A. No, not on the average. It	24 25	Q. So that basically your job was
 23	depended on how much load was on the boiler,	23	to load up, drive it over to the dump, and then
1	Page 18	ĺ	Page 20
1	how many boilers was running, how many was	1	come back?
2	done.	2	A. Yep.
3	Q. What would be the range, would you	3	Q. You could do that several times a
4	say, for a particular weekday?	4	day?
5	A. Probably about six loads.	5	A. Yep.
6	Q. Would that be an average or range?	6	Q. Did you do anything else for DP&L
7	I mean, low to high, what would low to high be?	7	during that period of time?
8	A. Probably about six loads.	-8	A. Help on maintenance. When there
9	Q. Is a low?	9	wasn't no ashes to haul, you would help on
10	A. Yeah.	10	maintenance on the boilers.
11	Q. And what would be the high?	11	Q. And this would be right at
12	A. Fifteen.	12	Longworth?
13	Q. And then occasionally on weekends,	13	A. Yeah.
14	they'd call you in?	14	Q. Did you also do that at Third
15	A. Yeah. When it gets cold, you work	15	Street?
16	more in the wintertime.	16	A. When I was driving a truck, no.
17	Q. So you might have to make some	17	Q. Okay. Okay. We'll talk about
18	extra runs on the weekends to get the ash out	18	what you did later. If I showed you a map, do
19	of there?	19	you believe you'd be able to identify where the
20	A. Yeah.	20	South Dayton dump is?
21	Q. How did Longworth what did	21	A. Probably.
22	Longworth how did Longworth get the ashes	22	Q. Let's give it a shot. Let's mark
23	out of the boilers to the truck? How did that	23	this as Exhibit 2. This is actually an aerial
24	occur?	24	map. I misspoke. I'm going to put this in
25	A. We had an electric truck with a	25	front of you.

5 (Pages 17 to 20)

	Corporation, at al. v. The Dayton Power & Light Company, et al.		John L. Davi
	Page 21		Page 23
1	(Thereupon, Davis Exhibit Number 2	1	A. This is not clear.
2	was marked for purposes of identification.)	2	Q. You're having a little difficulty
3	Q. Let's see if you can recognize	3	with it, huh?
4	what we're talking about here.	4	A. Yep.
5	A. Where is Dryden Road?	5	Q. Let me ask you a question. We'll
6	Q. Can you see the river?	6	get you a better map later. Let me ask you a
7	A. Nope.	7	question. How did you approach the dump in
8	Q. Well, let me point out to you that	8	your tandem? What road did you take in and
9	this looks like a river channel. Do you see	9	where did you make your turn?
10	that?	10	A. Came down Patterson came out of
11	A. Yep.	11	Longworth Perry Street. Came out Perry
12	Q. Do you see a bridge over the river	12	Street to Acker Street, turn right on Acker, go
13	here (indicating)?	13	down Acker to Ludlow. Turn right on Ludlow.
14	A. Yep.	14	Go out Ludlow up to the Carillon Boulevard,
15	Q. Does that help you?	15	make a right on Carillon Boulevard to Broadway.
16	A. You came across the bridge, it was	16	Turn right on Broadway. Go up Broadway and
17	on the right-hand side.	17	make a left into the dump.
18	Q. And are you referring to the South	18	Q. Okay. Okay. Sounds good. All
19	Dayton dump?	19	right. Now, when you went into the dump, did
20	A. Yeah.	20	you have to pass a gate?
21	Q. Can you mark where you believe the	21	A. Yeah.
22	dump was with this red pen on Exhibit 2?	22	Q. And what was at the gate?
23	A. This thing is not clear.	23	A. Just a bar across it with a lock
24	Q. Do the best you can. Can you	24	on it.
25	locate the DP&L service building on this map?	25	Q. Did somebody come out to open the
	Page 22		Page 24
١,	•		
1	A. Probably over here (indicating).	1	lock for you?
2	Q. Now, the buildings are usually in	2	A. We had a key. The dump was
3	white if you can	3	usually open on weekdays and half a day
4	A. Right there (indicating).	4	Saturday. Other than that, if you had to dump
5	Q. Do you know where the	5	after that, you had the key.
6	transportation building, the garage is for	6	Q. Now, did you yourself have a key?
3	DP&L?	ſ	A. Yeah.
8	A. Okay. Here we go. Storeroom and	8	Q. Now, when you drove the tandem
9	everything up there (indicating) and garage was	9	truck to the dump, did you have anybody in
10 11	down here (indicating).	10	there with you?
12	Q. Okay. Why don't you mark the	11	A. No.
13	storeroom. Just put write storeroom right	12	Q. Always by yourself?
14	on that where you pointed and garage where you	13	A. Not always. Unless you're taking
15	think the garage is.	14 15	somebody down somewhere, to the garage or
16	A. (Witness complies with request.) Q. Let the record reflect that the	16	something.
17	witness is marking with a red pen on Exhibit 2.	17	Q. You didn't need somebody to go to
18	Okay. He wrote garage and storeroom	18	the dump with you? A. No.
19	on the exhibit.	19	Q. You just occasionally took
20		20	somebody on a ride for DP&L?
	Q. And where do you believe the dump		•
21	was?	21 22	A. Yes,
22	A. It was across the street over here		Q. So you yourself had a key to the
23	(indicating).	23	dump, correct?
24	Q. Why don't you circle where the	24	A. Yeah.
25	dump is?	25	Q. Did you have that on the weekends

6 (Pages 21 to 24)

		1	
j	Page 25		Page 27
1	if you drove on the weekends?	1	A. Not really.
2	A. Yeah.	2	Q. Was the truck you drove for DP&L
3	Q. So where did you keep the key?	3	always a brown truck?
4	A. On my key chain.	4	A. Yeah. No. They bought one in
5	Q. Uh-huh. And you kept it all the	5	'77, I think.
6	time when you went home even?	6	Q. And what kind of truck was I'm
7	A. Yeah.	7	sorry. Go ahead.
8	Q. There's nothing wrong with that.	8	A. International white truck.
9	I'm just curious. What did the key say on it?	9	Q. Was it the same size as the
10	Do you remember?	10	A. Yeah.
111	A. No.	11	Q. Same size as the brown truck?
12	Q. Did it have a number?	12	A. Yes.
13	A. I didn't pay that much attention	13	Q. Did you ever drive the
14	to the key.	14	International white truck?
15	Q. What was its shape?	15	A. Yeah.
16	A. Like a door key, house key.	16	Q. For your last year or so?
17	Q. And who gave you that key?	17	A. Yep.
18	A. My supervisor.	18	Q. Driving the truck, I mean.
19	Q. And who's your supervisor?	19	A. Yeah.
20	A. Paul Reneke.	20	Q. So we were saying when you got to
21	Q. Paul Reneke?	21	the dump, you went through the gate. It either
22	A. Yep.	22	was open or you got out and unlocked it
23	Q. How do you spell his last name?	23	yourself?
24	A. I do not know.	24	A. Yeah.
25	Q. Is he still alive?	25	Q. How would you know where to dump
	Page 26		Page 28
1	A. No.	1	the ash in your truck?
2	Q. Was he your supervisor the entire	2	A. There was spots where you dumped
3	time you drove the tandem?	3	it at. You made different spots where you'd go
4	A. Yeah. No, he wasn't. He died.	4	dump.
5	Q. Say that again.	5	Q. And that changed over time; is
6	A. He died. A guy named Shellhouse	6	that right?
7	took over. Dave Shellhouse.	7	A. Yeah.
8	Q. Is he still alive?	8	Q. Did you ever meet anybody at the
وا	A. Yes.	9	dump while you were there?
10	Q. Do you know if he lives in Dayton?	10	A. Meet anybody?
11	A. In West Milton.	11	Q. Let me ask it a little
12	Q. Do you have any idea how old he	12	differently. The people that ran the dump, did
13	is?	13	you ever talk with them?
14	A. Seventy-four.	14	A. Yeah.
15	Q. Somebody you see every so often?	15	Q. And who were they?
16	A. Yep.	16	A. Lacine Grillot and Kenny Grillot.
17	Q. Does he he would be retired	17	Q. Lacine and Kenny?
18	then?	18	A. Yeah.
19	A. Yeah.	19	Q. Do you know if they were brothers?
20	Q. What was the color of your tandem?	20	A. Yeah.
21	A. Brown.	21	Q. Did they tell you where to dump or
22	Q. Sort of like a UPS truck brown?	2.2	did you well, did they ever tell you where
23	A. Yeah.	23	to dump the ash?
24	Q. Did it have to get painted	24	A. Yeah.
25	occasionally?	25	Q. If I understand you correctly, did

7 (Pages 25 to 28)

Hobart Cor	poration, et al. v. The Dayton Power & Light Company, et al.		<i>6</i>)	John L.	Pavi
	Page 29			Page	31
1 1 y	ou were there times when you knew where to	1	Q. So '70s and '80s, you saw dump		:
	dump it without being told?	2	trucks from gas construction with front-end		
3	A. Yeah.	3	loaders?		
4	Q. Anyone else at the dump that you	4	A. Yeah.		
1 -	ever interacted with?	5	Q. Can you describe the size of the		
6	A. No.	6			
7	Q. Just those two?	7	dump truck? Do you have a sense of		
		8	A. Probably about a six-yard dump		
8 8	A. Yeah, just those two. Other		truck.		
	drivers from Delco would come in.	9	Q. And you think there were more that	ın	
10	Q. Drivers from Delco?	10	ten of them?	•	
11	A. Yeah.	11	A. Yeah.		
	Q. Any drivers from any other	12	Q. What did the gas construction		
	lrivers from DP&L?	13	people haul in those dump trucks?		
14	A. Yeah.	14	A. Stuff that they dug up out of the	~	
15	Q. Go ahead.	15	streets when you're putting gas lines and stu	tt	
16	A. Gas construction. Mostly just gas	16	in.		
	onstruction.	17	Q. Around the city, around the		
18	Q. Okay. Tell me about gas	18	service area?		
	construction. Who who drove for gas	19	A. Yeah.		
	onstruction?	20	Q. How do you have a sense of how		
21	 A. We had a bunch of people drive for 	21	frequently you would see the gas construction		
	as construction. I don't even know their	22	dump trucks over at DP&L I'm sorry ov	er	
	names.	23	at the South Dayton dump?		
24	Q. Do you remember any of their	24	 A. See them every day. 		
25 n	names?	25	Q. Any other, during your time		
	Page 30			Page	32
1.	A. No. It's been too long.	1	operating the tandem, running the tandem, a	ny	
2	Q. It's all right. What what kind	2	other DP&L trucks that you knew of coming		
3 0	of trucks did gas construction have?	3	South Dayton dump?		
4	A. Dump trucks, Six-yard, seven-yard	4	A. Nope.		
5 d	ump trucks.	5	Q. So it was gas construction and fly		
6	Q. More than one?	6	ash.		
7	A. They had a lot of them.	7	A. Yeah.		
8	Q. Do you got an approximation of how	8	Q. Anyone else haul the fly ash from		
9 m	nany?	9	the various DP&L stations?		
10	A. Not really. There was a bunch.	10	MR. CAMPBELL: I'll object to the		
11	Q. More than more than three?	11	form of the question.		
12	A. Yeah, more than ten.	12	Q. Do you know if anyone else hauled		
13	Q. More than ten. Okay. Did they	13	the fly ash?		
	ave a special look to them?	14	A. The coal handlers when I was on		
15	A. Back then, they had a front-end	15	vacation or off sick.		
1	oader on them.	16	Q. And do you know who had your job)	
17	Q. Front-end loader from gas	17	of driving the tandem, hauling the fly ash,		
	onstruction?	18	prior to when you started?		
19	A. Yeah.	19	A. Charlie Charlie Fields. I		
20	Q. When you say back then, what	20	think it was Charlie Fields.		
	eriod of time are we talking about?	21	Q. And Charlie Fields is still alive?		
22	A. Back in the '70s, '80s.	22	A. Yeah.		
23	Q. And you drove your tandem when	23	Q. Still working for Dayton Power and	l	
	rom '68 to '88; is that right?	24	Light?	•	
25	A. Yeah.	25	A. Yeah.		
. Z J	A. 1 Call,	2.7	A, IVali,		

8 (Pages 29 to 32)

	corporation, et al. v. line payton rower & Light Company, et al.	1	John L. Bav.
	Page 33		Page 35
1	Q. And what about after you stopped	1	Grillots or anyone at the dump when you dumped
2	driving the tandem for DP&L? Who picked up	2	a load?
3	your job?	3	A. I didn¹t.
4	A. What was his name? Ed Johnson.	4	Q. Do you know how that was arranged?
5	Q. Are you familiar with an	5	A. Through the company. I guess
6	Ed Jackson?	6	they'd pay it once a month.
7	A. Jackson.	7	Q. Did you ever see what what
8	Q. Is that the right name?	8	information made you think it was a monthly
9	A. Yeah.	9	payment?
10	Q. He's the fellow that picked up	10	A. I wouldn't know.
11	your job after you?	11	Q. That's just what you figured?
12	A. Yeah.	12	A. Yeah.
13	Q. Do you know if Ed is still alive?	13	Q. So that wasn't something you
14	A. No.	14	needed to handle?
15	Q. Passed on?	15	A. No.
16	A. Yeah.	16	Q. And you had that key. Did you
17	Q. And do you know who took on the	17	ever give that key up, give it back to your
18	job after Ed Jackson?	18	supervisor?
19	A. A bunch of people was driving it	19	A. Yeah, when I switched jobs.
20	after him. I don't think they hired somebody.	20	Q. Uh-huh. Okay. Now, after the
21		21	1988 – you mentioned that you were the tandem
22	Just picked somebody out to drive, coal handlers.	22	driver from '68 to '88. What did you do next
23		23	for DP&L?
24	Q. Say that again.	•	
	A. Coal handlers, when they got	24	A. Repairman.
25	through with their job, they would haul.	25	Q. And what kind of repair work did
	Page 34		Page 36
1	Q. And coal handlers worked right at	1	you do?
2	the plant, at Longworth?	2	A. Tubes and boilers, turbines,
3	A. Yeah.	3	pumps.
4	Q. And at Third Street as well?	4	Q. Was this right at Longworth?
5	A. Yeah.	5	A. Yeah.
6	Q. Do you have any knowledge about	6	Q. Did you also do any repair work at
7	whether DP&L had a dump truck that went from	7	the Third Street facility?
8	the service building right across the street to	8	A. Yeah.
9	South Dayton dump?	9	Q. Any other facilities?
10	A. They probably did, but I wouldn't	10	A. Nope.
11	know.	11	Q. So you were did you have a
12	Q. You never saw a dump truck coming	12	toolbox?
13	from the service building when you were at the	13	A. Yeah.
14	dump?	14	Q. And you did what was needed around
15	A. Well, that's where gas	15	the around the power plant?
16	construction was so you had them coming in and	16	A. Yep.
17	out all day.	17	Q. How long did you do that work?
18	Q. Gas construction was based at the	18	A. From '88, '89 up until 2001.
19	service building?	19	Q. Until you
20	A. Yeah,	20	A. Until I retired.
21	Q. Okay. I got it.	21	Q. After the thirty-four years?
22	Did you ever get a dumping receipt or	22	A. Yeah.
23	ticket at the dump when you dumped your loads?	23	Q. Any involvement in waste disposal
2.4	A. No.	24	from Longworth or Third Street during that
		25	period of time?
25	Q. Did you ever pay any money to the	2.5	period of time:

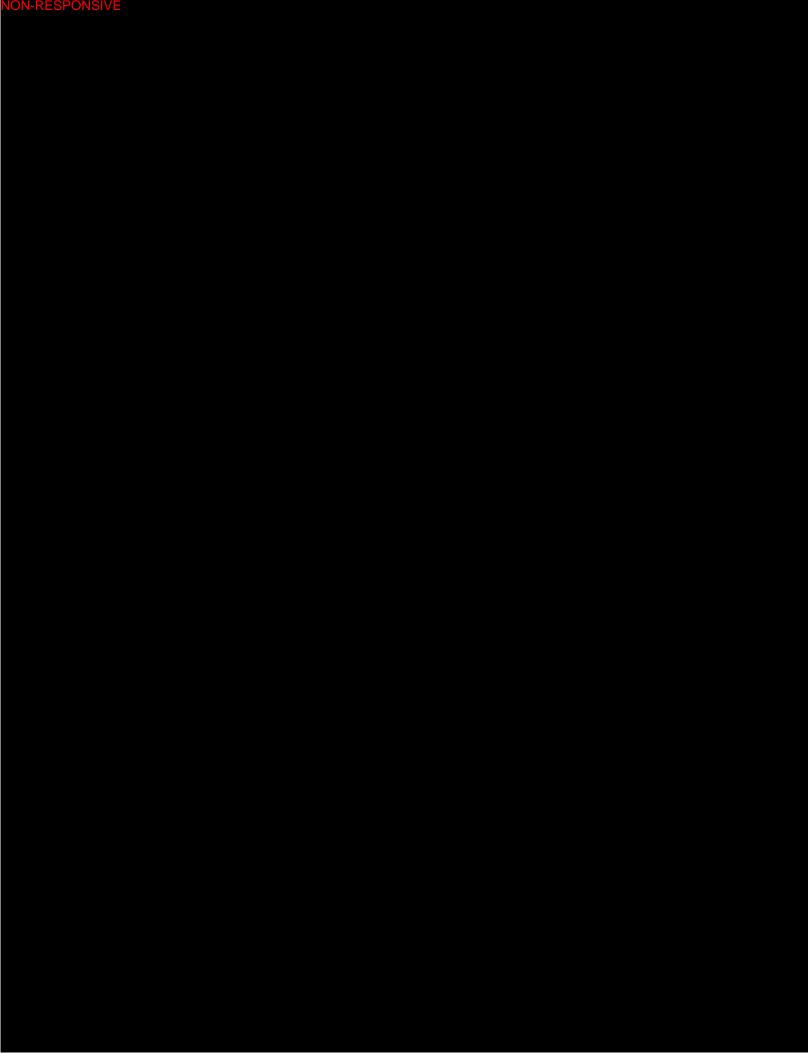
9 (Pages 33 to 36)

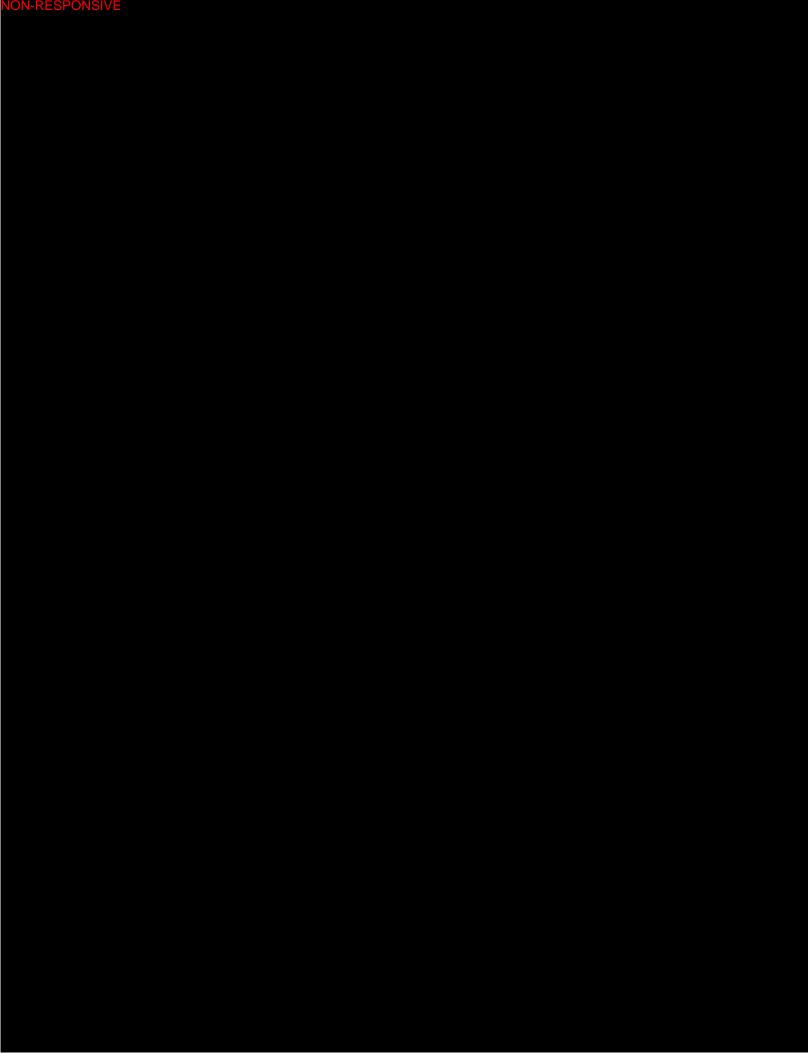
	corporation, et al. v. The Daytor Power & Light Company, et al.		John L. Davi
	Page 37		Page 39
1	A. No.	1	Expansion joints.
2	Q. Did you mention the tandem truck	2	Q. That front-end loader would come
3	was a GMC?	3	by Longworth and pick up wood?
4	MR. CAMPBELL: Objection to	4	A. Yeah.
5	foundation.	5	Q. Do you know where that front-end
6	THE WITNESS: Yeah.	6	loader took the waste?
1 7	Q. Do you know I just wondered if	7	A. South Dayton.
8	you know what year the truck was made?	8	Q. Same location?
9	A. No.	9	A. Yeah.
10	MR. SILVER: All right. Can we take	10	Q. Who drove the front-end loader for
11	about a ten-minute break, see if I can get a	11	Fourth Street?
12	better map for you.	12	A. I'm seventy-four years old.
13	(Thereupon, a break was had.)	13	Q. Now we are testing you.
14	Q. Just curious about Longworth. You	14	A. Yeah, because they got he quit
15	hauled your tandem truck, filled it up with ash	15	and went to Las Vegas. I can't remember the
16	from the — you testified from the boilers.	16	name.
17	Did any other waste get produced by Longworth	17	Q. He moved to Las Vegas, did you
18	that you're aware of and are you aware of how	18	say?
19	it left the site?	19	A. Yeah.
20	A. Maybe some wood and stuff, but	20	Q. Still alive?
21	other than that, no. Wood and paper.	21	A. I don't know.
22	Q. Wood and paper. What about just	22	Q. How old would you say the guy was?
23	typical daily trash from the cafeteria from	23	A. Probably in his forties.
24	the office or whatever, you know.	24	Q. Forties back then?
25	A. You can burn that in the boilers.	25	A. Yeah.
	Page 38	20	Page 40
١.			-
	Q. Uh-huh. But other than but	1	Q. Okay. And that was at least
2	would that wood also go into your truck for	2	twenty some years ago, right?
3	hauling away?	3	A. Yeah.
4	A. Mostly Fourth Street hauled it	4	Q. Okay. All right. If you think of
5	because they had a front-end loader that could	5	his name before we're done
6	come in and load it and take it.	6	A. Hasting Pane.
7	Q. You say Fourth Street?	7	Q. Say that again.
8	A. Yes.	8	A. Hasting Pane.
9	Q. We talked about Third Street,	9	Q. Hasting, his first name?
10	right?	10	A. Pane.
11	A. Yeah.	11	Q. PANE?
12	Q. What was Fourth Street?	12	A. Yeah.
13	A. They repaired meters, steam	13	Q. And you think he moved out to Las
1.5	meters, and checked pipes that run along the	14 15	Vegas? A. Yeah.
16	street and everything. Q. Repaired them right over on Fourth	16	Q. Did he get a job out there?
17	Street?	17	A. Yeah.
18	A. Yeah.	18	Q. Do you know what kind?
		19	A. No.
19	Q. Was that during your entire time	20	O. You mentioned Ed Jackson had
20	based at Longworth?	21	`
21	A. Yeah.	22	passed away? A. Yeah.
22	Q. And they had a front-end loader at	23	
23	Fourth?	24	Q. What kind of frequency did the
24	A. Front-end loader and backhoe.	25	Fourth Street, if you know, front-end loader take trips to South Dayton?
25	They dug up steam pipes and repaired them.	23	take trips to south Dayton?

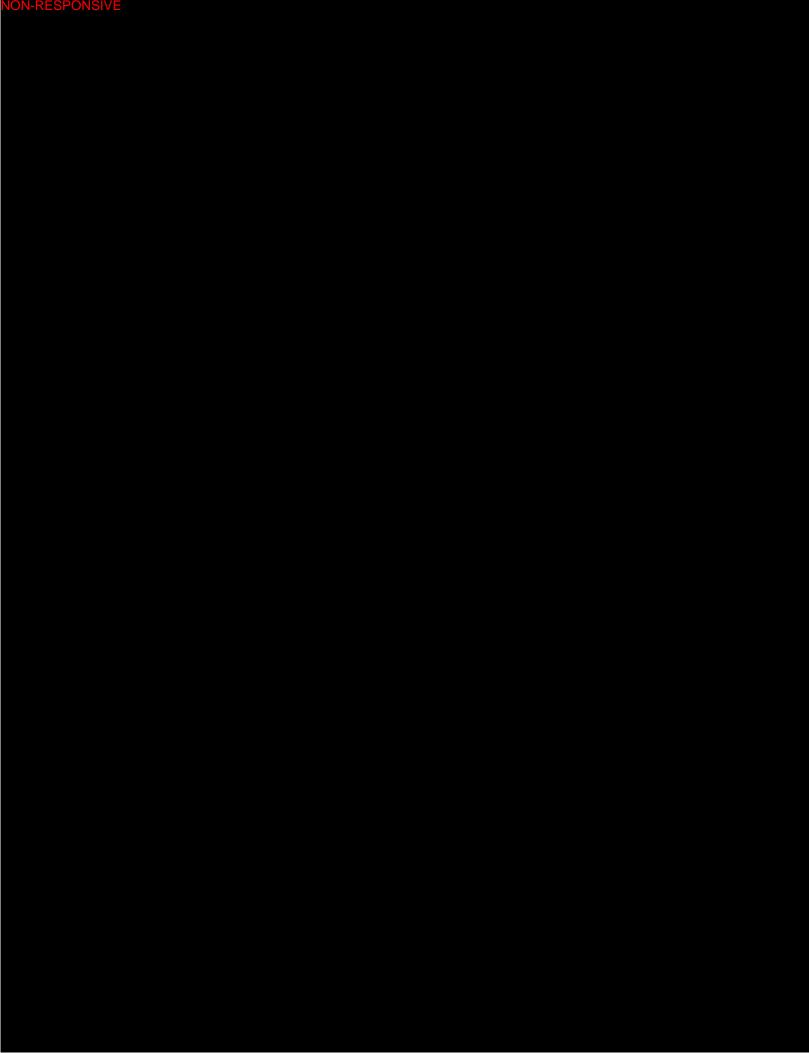
10 (Pages 37 to 40)

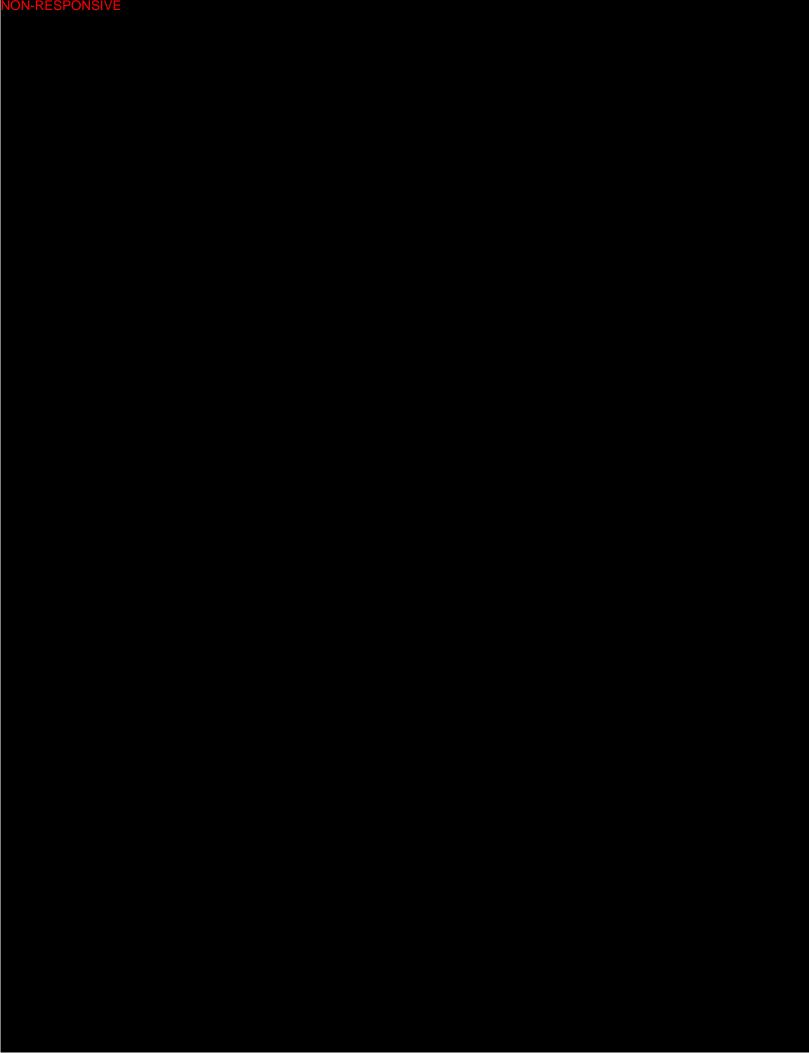
nobart .	Corporation, et al. v. The Dayton Power & Light Company, et al.	,	John L. Pavi
	Page 41		Page 43
1	A. Practically every day.	1	so it would be a little easier to see?
2	Q. Do you think more than	2	A. (Witness complies with request.)
3	A. Every day. Longworth, Fourth	3	Q. You mentioned the service
4	Street and steam was tied together. And Third	4	building. Can you put a circle around where
5	Street was tied together. It was all steam.	5	the service building is?
6	Q. Uh-huh.	6	A. Right here (indicating).
7	A. All of them worked together.	7	Q. Can you write service building
8	Q. Fourth Street had a steam plant as	8	where you think the service building was?
9	well?	9	A. How do you spell service?
10	A. No. They had a repair shop.	10	Q. SERVICE. And the garage,
11	Repaired meters and repaired the lines in the	11	you identified that previously. Do you see the
12	street.	12	garage?
13	Q. But those three facilities,	13	A. Down here (indicating).
14	Longworth, Third Street, and Fourth Street	14	Q. Write garage next to – are you
15	worked together in terms of waste?	15	referring to that black black building
16	A. Yeah.	16	there? Is that what you're referring to as the
17	Q. Did that front-end loader that	17	garage? It's been a while, hasn't it?
18	came out of Fourth Street that went down to the	18	A. Yep. It's got to be yeah,
19	dump every day, did it make more than one trip	19	that's got to be the garage (indicating). Have
20	a day, do you know?	20	to be.
21	A. It probably did. It was working	21	Q. Now, I want you to go back to
22	on the street.	22	Exhibit 1, this bigger one that was a little
23	Q. All right. I wanted to show you	23	more difficult for you to see. And comparing
24	different hopefully a little more clear.	24	the two, now that you've got your glasses on,
25	(Thereupon, Davis Exhibit Number 3	25	hopefully you'll be able to see better, I want
	Page 42		Page 44
1	was marked for purposes of identification.)	1	to have you look at the buildings that you
2	Q. We're going to put in front of	2	marked as the garage let's do it so they're
3	you, Mr. Davis, another aerial photograph,	3	facing the same way on each of the on
4	maybe a little bit more clear. It's got some	4	Exhibit 1 I'm sorry on Exhibit 2 and 3,
5	streets marked on it. See if you can find the	5	and the service building and make sure you
6	roads you want to look at.	6	 A. The garage was south of the
7	 A. This is Dryden (indicating). The 	7	service building.
8	dump would be back in here (indicating).	8	Q. Right. So where would would
9	Q. Can you circle you've got that	9	this have been the garage or the service
10	red pen where you were pointing. Circle where	10	building (indicating)? I'm pointing to Exhibit
11	you were pointing and write in dump. You just	11	2 now. I just want to make sure we clear up
12	mentioned the service building. Can you write	12	the confusion here. Do you see what I'm
13	in service building there with your red pen so	13	talking about?
14	we know what you're referring to?	14	A. Yeah. This was probably the
15	A. Let me get my funny looking	15	service building (indicating). It's hard to
16	glasses out.	16	tell on these pictures.
17 18	Q. Let the record reflect that he's	17	Q. All right. Well, that's fine.
19	pulling out his funny looking glasses.	18 19	We'll leave it as it is and was the service building bigger than the garage?
20	A. Hmm. This is Dryden Road	20	A. Yeah.
21	(indicating). So the dump had to be back in	21	
22	here (indicating).	22	Q. So does that help if I help you
23	Q. Let the record reflect that he	23	A. That's the reason why I think
24	wrote did you just write in dump there?	1	that's the service building.
25	A. Yeah.	24 25	Q. And what about that (indicating)?A. That would be the service
43	Q. Can you put a circle around there	123	A. That would be the service

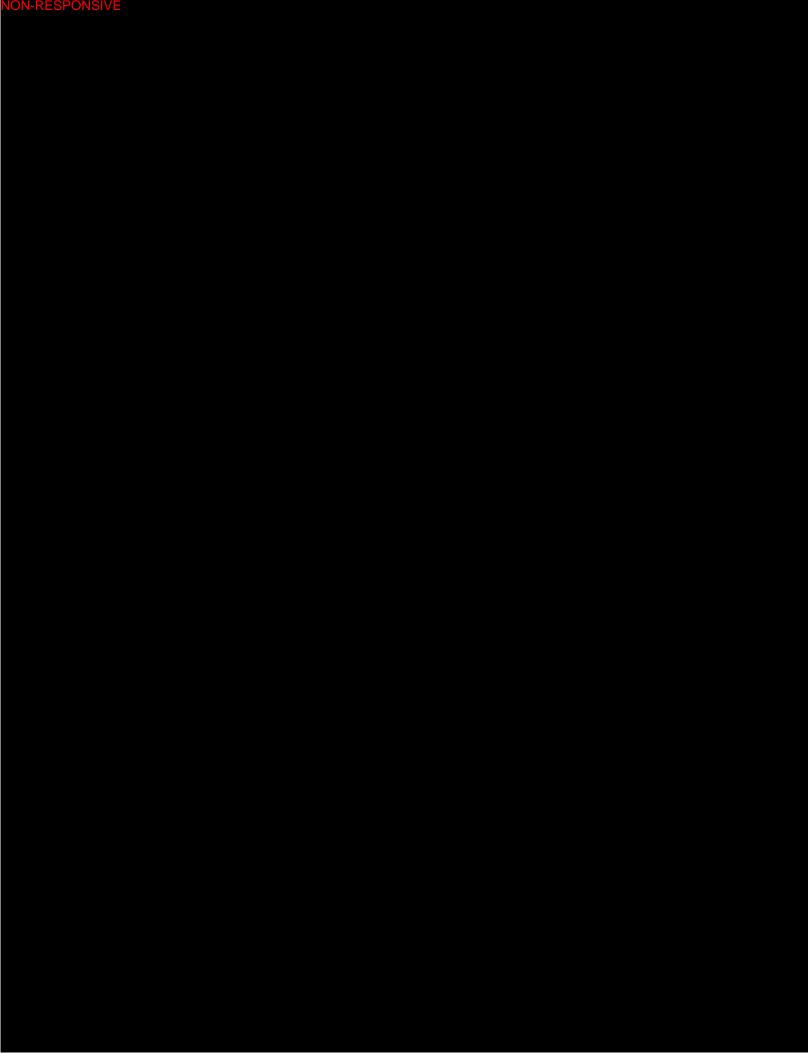
11 (Pages 41 to 44)

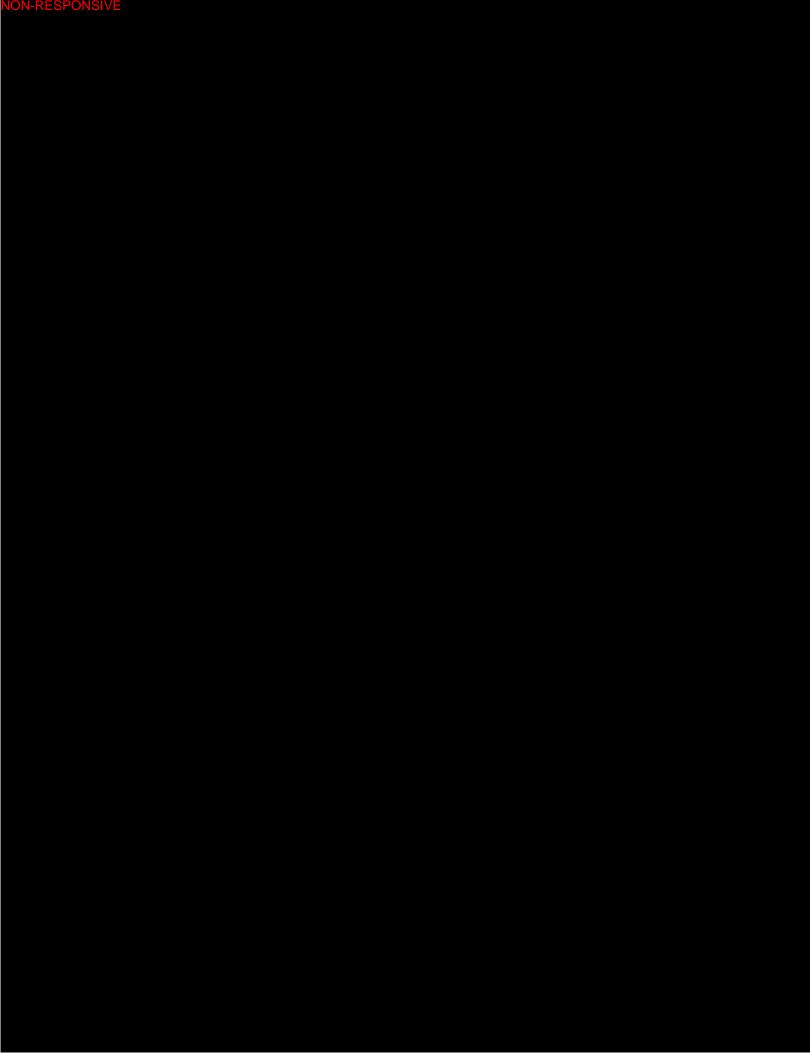












	Page 69	
1	STATE OF OHIO)	
2	COUNTY OF MONTGOMERY) SS: CERTIFICATE	
3	I, Michelle A. Elam, a Notary	
4	Public within and for the State of Ohio, duly	
5 6	commissioned and qualified,	
7	DO HEREBY CERTIFY that the	
8	above-named JOHN W. DAVIS, was by me first duly sworn to testify the truth, the whole truth and	
9	nothing but the truth.	
10	Said testimony was reduced to	
11	writing by me stenographically in the presence	
12	of the witness and thereafter reduced to	
13	typewriting.	
14	I FURTHER CERTIFY that I am not a	
15	relative or Attorney of either party, in any	•
16	manner interested in the event of this action,	
17	nor am 1, or the court reporting firm with which	
18	I am affiliated, under a contract as defined in	
19	Civil Rule 28(D).	
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2,1		
22		
23		
24		
25		
	Page 70	·
1	IN WITNESS WHEREOF, I have hereunto set	
2	my hand and seal of office at Dayton, Ohio, on	
3	this day of , 2013.	
4		
5	MICHELLE A. ELAM	
6	NOTARY PUBLIC, STATE OF OHIO	
•	My commission expires 5-2-2015	
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18 (Pages 69 to 70)

Mike Mobley Reporting 937-222-2259

